

**GOLDENDALE CITY COUNCIL
REGULAR MEETING
APRIL 7, 2025
6:00 PM**

NOTE: THIS MEETING IS BEING HELD IN PERSON OR CAN BE ACCESSED REMOTELY BY TELEPHONE AND ZOOM VIDEO. TO PARTICIPATE VIA ZOOM, YOU WILL NEED TO CALL 415-762-9988. THE MEETING ID NUMBER IS 373 290 5204. YOU WILL BE ABLE TO CALL IN AT 5:45. YOU CAN FIND THE INSTRUCTIONS FOR ZOOM ON THE WEBSITE.

- A. Call to Order
 - a. Pledge of Allegiance
- B. Roll Call
- C. Closed Public Comment (Agenda Business Only, comments limited to 3 minutes)
- D. Public Hearing
 - 1. Parking on East Collins
- E. Agenda
 - 1. Approval of Agenda
 - 2. Consent Agenda
 - a. Approval of Minutes
 - b. Claims
 - c. Payroll
 - d. Other
- F. Presentations
- G. Department Reports
- H. Council Business
 - 1. Parking on East Collins
 - 2. Hearing Examiner Services Contract
 - 3. 2025 Phase 2 Water Line Improvement Project Award
 - 4. 2025 Pavement Preservation Project Award
- I. Resolutions
 - 1. Res No 744 – Tourism Funding
- J. Ordinances
 - 1. Ord No 1541 – Hearing Examiner
 - 2. Ord No 1545 – Amending Water Ordinance
 - 3. Ord No 1546 – Amending Sewer Ordinance
- K. Report of Officers - Council, Mayor, City Administrator
- L. Open Public Comment – 3 Minute Limit
- M. Executive Session
- N. Adjournment

NEXT REGULAR COUNCIL MEETING WILL BE ON APRIL 21, 2025, AT 6:00 PM.

AGENDA BILL: D1

AGENDA TITLE: PARKING ON EAST COLLINS

DATE: APRIL 7, 2025

ACTION REQUIRED:

ORDINANCE_____ COUNCIL INFORMATION_____

RESOLUTION_____ OTHER_____ Public Hearing_____

MOTION_____

EXPLANATION:

The Council recommended eliminating parking or consider allowing parking on the south side of Collins or allowing parking on the south side of Collins with extended sight distant from the corner of the intersection on East Collins between the Roosevelt intersection and Sanders Way. They also recommend turning the intersection of Roosevelt and Collins into a four-way stop.

AGENDA TITLE: CONSENT AGENDA

DATE: APRIL 7, 2025

ACTION REQUIRED:

ORDINANCE _____ COUNCIL INFORMATION _____ X
RESOLUTION _____ OTHER _____
MOTION _____ X

EXPLANATION:

The consent agenda includes the following:

Minutes of the March 17, 2025 regular council meeting, second pay period March checks #59327 – 59336, 901879 direct deposit 3/20/2025 in the amount of \$145,199.37, April 3, 2025 claims checks # 59324 – 59326, 59337 – 59391, 901880 - 901881 in the amount of \$185,985.03.

FISCAL IMPACT:

Payroll checks in the amount of \$145,199.37, claims checks in the amount of \$185,985.03.

ALTERNATIVES:

Approve the consent agenda.

Remove certain items from the consent agenda for further discussion.

STAFF RECOMMENDATION:

Approve the consent agenda

MOTION:

I MOVE TO APPROVE THE CONSENT AGENDA.

**GOLDENDALE CITY COUNCIL
REGULAR MEETING
March 17, 2025
6:00 PM**

Mayor Dave Jones called to order the regular meeting of the Goldendale City Council followed by the Pledge of Allegiance.

ROLL CALL

Council Present: Mayor Dave Jones (Not voting), Council Member Steve Johnston, Council Member Andy Halm, Council Member Miland Walling, Council Member Theone Wheeler (Zoom), Council Member Ellie Casey, Council Member Danielle Clevidence

Motion: I move to excuse Council Member Loren Meagher, **Action:** Motion, **Moved by** Council Member Miland Walling, **Seconded by** Council Member Danielle Clevidence
Motion Passed Unanimously

Staff Present (Not Voting): Clerk Treasurer Shelly Enderby, Police Chief Mike Smith, Fire/EMS Captain Julianna Ontiveros

CLOSED PUBLIC COMMENT

Rodger Nichols – gave an update on how he is doing after his surgery

PUBLIC HEARING

No Public Hearing

AGENDA AND CONSENT AGENDA

Motion: I move to approve the agenda and the consent agenda, **Action:** Motion, **Moved by** Council Member Danielle Clevidence, **Seconded by** Council Member Ellie Casey
Motion Passed Unanimously

PRESENTATIONS

4th Quarter Budget Review by Jen Forsberg, Jen went over the 4th Quarter Budget

Mayor Dave Jones – Set up a Finance Committee Meeting on Monday March 24th at 3pm

DEPARTMENT REPORTS

Police Chief Mike Smith – I looked into 3 different companies for street signs in the school zones they were within \$100.00 of each other. One is Stalker, they have their own reps which came to our office and brought some demos their services are made in America. Their street signs have a lot more design to them. The signs are movable so we can take them where needed. It's about \$8,000.00 for 2 signs. We used to have the blinking flashing lights all around the school zones which are \$20,000.00 to replace those, and the company no longer supports that software. The signs got taken down because we couldn't control when they flashed. My concern now is Collins Street because the middle school is so close to the road and there is a lot of traffic. Last time I mentioned Flock Camera Systems that automatically read a license plate and sends it to every officer that's working. It also could monitor our traffic for tourism with live data.

Fire/EMS Captain Julianna Ontiveros – We have been working on the new Air Van which should be completed next month. We also have an ambulance that was donated to us from Klickitat County EMS which should be in service next month.

Mayor Dave Jones – The Public Works Committee has been working with several of our local partners on our Comprehensive Parks Plan. Pleased to report we are getting very close to wrapping this plan up. It will enable us to be eligible for grants.

COUNCIL BUSINESS

No Council Business

RESOLUTIONS

No Resolutions

ORDINANCES

No Ordinances

REPORT OF OFFICERS

Council Member Miland Walling – We have some exciting projects coming on this summer not only in the city but some bigger projects that are just outside of the city limits

Council Member Danielle Clevidence – I wanted to briefly talk about the virtual town hall that was with our senator and our two representatives for District 17 last Friday it looks like our representatives are really wanting our input and fighting for the small towns. I encourage people to reach out to them if you have ideas or bills that you would like to see passed or just ideas that could be worked on because they are very receptive.

Council Member Theone Wheeler - The town hall hit a lot of key notes that I was going to ask questions about, but they cover so much of it. They do want to work with us here in Goldendale.

Council Member Steve Johnston - The Ordinance Committee has been working on updating our weed control ordinance when will there be a copy of that available

Mayor Dave Jones – We are working with our attorney to get the ordinance put into effect but basically it is using the county's noxious weed list as our own.

Council Member Steve Johnston – I would like to work with the committee on unfit dwellings, building and structures. It takes about 6 months of the process from the first time you notify somebody that there is an infraction to where the city is in position to lean on the property and get serious. That's why I want to see the updated stuff and that's why I really would like to go in-depth in these other areas. In line with that, when is our code enforcement officer going to give us another update

Mayor Dave Jones – We can get that scheduled soon. We have an agreement to give one quarterly.

Council Member Steve Johnston – I would like to revisit that I think it should be at least once a month. In the meantime, if you could pass on to Robert, I've got questions about what's going on with this burned-out building down here its way past due. That motor home is on Grant Street and now there is an accumulation of junk cars on Brooks Street again. Not to mention the junk yard at the end of Second Street where it loops around on the other side of Mill St. I know he is

working on it, but I've looked over the documents and 6 months is what it should take, and these have been on the books for years. It's not that we don't have the ordinances, it's that we are not enforcing the ones that we have.

Council Member Danielle Clevidence – I would like to see a spreadsheet that says when it was first reported so we can keep track of this type of stuff and see if they are repeat offenders. Right now, as far as I know there is nothing in place so you could say you were working on it so there is no accountability. Is the issue that we are not enforcing or is the issue that there's not enough information in there to make it impactful.

Council Member Steve Johnston - One of the arguments has been the language isn't there so we can't enforce it and that is an issue for some. The language itself has to be tightened up. I've sat down with Robert he is tracking it with a spreadsheet. I am curious why recently the State Patrol is pulling people over in town so much.

Police Chief Mike Smith – There are 2 new troopers that like hanging out here and being short staffed if I get free enforcement, I'm going to take it every moment I can. They have jurisdiction over the whole state, so they have the right to make a traffic stop on any of our city streets. Right now being short staffed, we go call to call and are unable to do other enforcements that we normally would have time to do so I am thankful for their help.

Mayor Dave Jones – I was able to attend the virtual town hall meeting with all 3 of our legislators it is informative to learn where certain bill were in the legislator and to hear their responses to several questions. We have 3 legislators that are really open to hearing from the public and that's good to have and to get to know them and continue the relationship we have developed.

OPEN PUBLIC COMMENT

Rodger Nichols – I would like an update on the Airport Fuel System

Council Member Miland Walling – This coming Thursday we are having an Airport Board Meeting. Senator Cantwell's staff person is coming. We are still going to be trying for Federal Funding

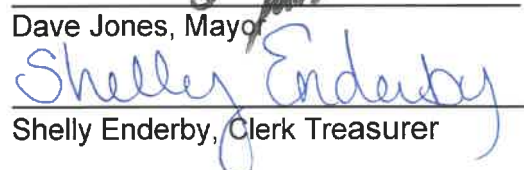
ADJOURNMENT

6:59 PM

Motion: I motion to Adjourn the meeting, Action: Motion, Moved by Council Member Andy Halm, Seconded by Council Member Ellie Casey. Motion passed unanimously.



Dave Jones, Mayor



Shelly Enderby, Clerk Treasurer

Register

Fiscal: 2025
Deposit Period: 2025 - March 2025
Check Period: 2025 - March 2025 - 2nd Council Mar 2025

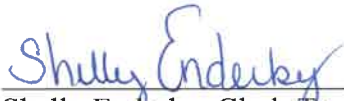
Number	Name	Print Date	Clearing Date	Amount
1st Security Bank of Washington				
Check				
59324	Hattenhauer Energy Co LLC	3/18/2025		\$1,716.06
59325	AT&T Mobility	3/18/2025		\$1,678.60
59326	Goldendale Pride Alliance	3/19/2025		\$1,250.00
59337	AT&T Mobility	3/24/2025		\$96.93
59338	Verizon Wireless	3/24/2025		\$440.11
59339	Avista Utilities	3/25/2025		\$2,335.05
59340	Umpqua Bank	3/26/2025		\$10,076.85
59341	Stearns Bank N.A.	4/2/2025		\$1,360.07
59342	Abigail Schoenborn	4/7/2025		\$30.27
59343	America's Phone Guys	4/7/2025		\$909.31
59344	Anatek Labs Inc	4/7/2025		\$170.00
59345	Basin Feed & Supply	4/7/2025		\$73.98
59346	Bishop Sanitation Inc	4/7/2025		\$73.50
59347	Bohn's Printing	4/7/2025		\$261.45
59348	Builders Exchange of Washington Inc	4/7/2025		\$93.25
59349	C&C Auto	4/7/2025		\$1,310.83
59350	Carquest Auto Parts	4/7/2025		\$256.22
59351	Christopher R Lanz Law Office LLC	4/7/2025		\$1,820.00
59352	Criminal Justice Training Commission	4/7/2025		\$1,950.00
59353	Danielle Clevidence	4/7/2025		\$67.38
59354	Diana McCollum	4/7/2025		\$40.00
59355	Ford Motor Credit Company LLC	4/7/2025		\$4,980.00
59356	General Code	4/7/2025		\$711.12
59357	Goldendale Chamber	4/7/2025		\$1,881.37
59358	Goldendale Sentinel	4/7/2025		\$1,170.00
59359	Goldendale Tire Center	4/7/2025		\$17.48
59360	Holcombs Market	4/7/2025		\$459.08
59361	HSA Bank Employee Plan Funding	4/7/2025		Void
59362	IBS Incorporated	4/7/2025		\$460.76
59363	Inductive Automation LLC	4/7/2025		\$1,827.51
59364	Klickitat County Department of Corrections	4/7/2025		\$10,000.00
59365	Klickitat County Emergency Management	4/7/2025		\$11,940.52
59366	Klickitat County Health Dept	4/7/2025		\$175.00
59367	Knockerball Tricities LLC	4/7/2025		\$3,319.27
59368	Lori Lynn Hootor Attorney at Law	4/7/2025		\$3,320.00
59369	Michael Hodges	4/7/2025		\$32.39

Number	Name	Print Date	Clearing Date	Amount
59370	Michael Smith	4/7/2025		\$70.00
59371	Mid-American Research Chemical	4/7/2025		\$670.51
59372	Mid-Columbia Veterinary	4/7/2025		\$571.47
59373	O'Reilly	4/7/2025		\$763.02
59374	Pioneer Surveying & Engineering Inc	4/7/2025		\$24,520.00
59375	Precision Service and Electric LLC	4/7/2025		\$57.32
59376	Quality Control Service Inc	4/7/2025		\$1,785.00
59377	Radcomp Technologies	4/7/2025		\$2,042.49
59378	RH2 Engineering Inc	4/7/2025		\$36,112.18
59379	SealMaster Portland	4/7/2025		\$15,530.93
59380	Shred Northwest Inc	4/7/2025		\$75.25
59381	Sirennet	4/7/2025		\$525.69
59382	SW WA Regional Transportation Council	4/7/2025		\$3,500.00
59383	True North Equipment	4/7/2025		\$1,135.11
59384	Vestis	4/7/2025		\$341.12
59385	Vic's Auto & Supply	4/7/2025		\$86.05
59386	Vision Municipal Solutions LLC	4/7/2025		\$1,230.40
59387	WA St Dept of Ecology	4/7/2025		\$1,641.31
59388	Zumar Industries, Inc.	4/7/2025		\$1,947.91
59389	Hattenhauer Energy Co LLC	4/2/2025		\$1,866.12
59390	Allyns Building Center	4/7/2025		\$3.43
59391	Allyns Building Center	4/7/2025		\$248.89
901880	Department of Revenue	4/7/2025		\$9,268.99
901881	HSA Bank Employee Plan Funding	4/7/2025		\$15,687.48
	Total	Check		\$185,985.03
	Total	20016310		\$185,985.03
	Grand Total			\$185,985.03

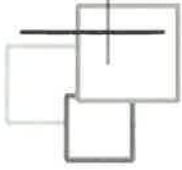
**CITY OF GOLDENDALE
CLAIMS REGISTER**

I, the undersigned, do hereby certify that the materials have been furnished, the services rendered, or the labor performed as shown on Check numbers 59324 through 59326, 59337 through 59391, 901880 through 901881 in the amount of \$185,985.03, and unpaid obligations against the City of Goldendale, Washington and that I am authorized to certify said claims.

DATED this 3rd day of April, 2025.



Shelly Enderby, Clerk-Treasurer



Register Activity

Fiscal: 2025

Period: 2025 - March 2025

Council Date: 2025 - March 2025 - 2nd Council Mar 2025

Reference	Date	Amount	Notes
Reference Number: 59324 <u>CL2002I</u>	Hattenhauer Energy Co LLC 3/15/2025	\$1,716.06 \$1,716.06	Fuel
Reference Number: 59325 <u>287322322398X03132025</u> <u>2873223222615X03132025</u>	AT&T Mobility 3/5/2025 3/5/2025	\$1,678.60 \$913.07 \$765.53	Cell Phones Cell Phones
Reference Number: 59326 <u>Invoice - 3/19/2025 9:51:16 AM</u>	Goldendale Pride Alliance 3/19/2025	\$1,250.00 \$1,250.00	2024 Tourism Funding Replacement
Reference Number: 59337 <u>287258483135x03182025</u>	AT&T Mobility 3/10/2025	\$96.93 \$96.93	Chlorination Station Hotspot
Reference Number: 59338 <u>6107658259</u>	Verizon Wireless 3/4/2025	\$440.11 \$440.11	GPD Laptops
Reference Number: 59339 <u>Invoice - 3/25/2025 2:10:07 PM</u>	Avista Utilities 3/13/2025	\$2,335.05 \$2,335.05	Gas Utilities
Reference Number: 59340 <u>Invoice - 3/26/2025 4:56:40 PM</u>	Umpqua Bank 3/26/2025	\$10,076.85 \$10,076.85	Credit Cards
Reference Number: 59341 <u>1584621</u>	Stearns Bank N.A. 4/2/2025	\$1,360.07 \$1,360.07	Genie Lift
Reference Number: 59342 <u>Invoice - 4/2/2025 9:43:34 AM</u>	Abigail Schoenborn 4/2/2025	\$30.27 \$30.27	Reimbursement for Travel Costs
Reference Number: 59343 <u>IN-800111164613</u>	America's Phone Guys 4/2/2025	\$909.31 \$909.31	Phone Services
Reference Number: 59344 <u>2505536</u>	Anatek Labs Inc 3/12/2025	\$170.00 \$170.00	Coliform and Bacteria Testing
Reference Number: 59345 <u>Invoice - 4/2/2025 9:56:35 AM</u>	Basin Feed & Supply 4/2/2025	\$73.98 \$73.98	Gloves

Reference	Date	Amount	Notes
Reference Number: 59346 <u>13770</u>	Bishop Sanitation Inc 4/2/2025	\$73.50 \$73.50	Airport Port a Pottie
Reference Number: 59347 <u>6117</u> <u>6118</u> <u>6119</u>	Bohn's Printing 3/27/2025 3/27/2025 3/27/2025	\$261.45 \$189.35 \$20.93 \$51.17	Copies Copies Copies
Reference Number: 59348 <u>1079301</u>	Builders Exchange of Washington Inc 3/6/2025	\$93.25 \$93.25	Online Publishing for 2025 Pavement Preservation Project, Phase 2 Water Line Improvement Project
Reference Number: 59349 <u>7211</u>	C&C Auto 3/24/2025	\$1,310.83 \$1,310.83	Gaskets, Seal kit, Labor Costs
Reference Number: 59350 <u>716353</u> <u>716697</u> <u>717475</u> <u>717583</u> <u>717676</u> <u>717769</u>	Carquest Auto Parts 3/10/2025 3/14/2025 3/24/2025 3/25/2025 3/26/2025 3/26/2025	\$256.22 \$10.73 \$46.72 \$118.14 \$15.97 \$46.40 \$18.26	Battery Terminal Multivehicle Concent Multivehicle Concent, AF Predilud,Automotive Stethoscope Angled Flush Cutt, Pliers Distributor Cap and Rotor Tie Down
Reference Number: 59351 <u>4A0143774</u> <u>4A0244572</u> <u>4A0313237</u> <u>4A0627046</u>	Christopher R Lanz Law Office LLC 3/13/2025 3/13/2025 3/13/2025 3/13/2025	\$1,820.00 \$200.00 \$1,180.00 \$180.00 \$260.00	Bricen Markle Daniel Flock Dana Geary Martha Armenta
Reference Number: 59352 <u>201140681</u> <u>201140792</u>	Criminal Justice Training Commission 2/20/2025 3/20/2025	\$1,950.00 \$800.00 \$1,150.00	Training Bracken Kruger Training Kahner Adams
Reference Number: 59353 <u>111-7444273-1053007</u>	Danielle Clevidence 4/2/2025	\$67.38 \$67.38	Reimbursement for Misters for Community Days
Reference Number: 59354 <u>Invoice - 4/2/2025 10:42:08 AM</u>	Diana McCollum 4/2/2025	\$40.00 \$40.00	Reimbursement for Dog Tag
Reference Number: 59355 <u>1780291</u>	Ford Motor Credit Company LLC 3/23/2025	\$4,980.00 \$4,980.00	Ford F-550

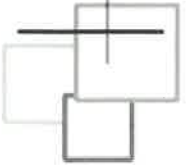
Reference	Date	Amount	Notes
Reference Number: 59356 <u>GC10016944</u>	General Code 3/17/2025	\$711.12 \$711.12	Municipal Code-Web Update
Reference Number: 59357 <u>1478</u>	Goldendale Chamber 3/14/2025	\$1,881.37 \$1,881.37	February 2025 Reimbursement
Reference Number: 59358 <u>158147</u> <u>158176</u>	Goldendale Sentinel 3/5/2025 3/19/2025	\$1,170.00 \$588.00 \$72.00	Invitation for Bids, Notice of Public Hearing No parking E Collins
<u>158177</u> <u>158178</u> <u>158181</u>	3/19/2025 3/19/2025 3/19/2025	\$138.00 \$144.00 \$228.00	Notice of Public Hearing CU 25-01 Notice of Public Hearing Var 25-01 DNS SEPA 25-01
Reference Number: 59359 <u>124961</u> <u>124970</u>	Goldendale Tire Center 3/24/2025 3/24/2025	\$17.48 \$8.74 \$8.74	Tube Tube
Reference Number: 59360 <u>Invoice - 4/2/2025 10:58:58 AM</u> <u>Invoice - 4/2/2025 10:59:56 AM</u> <u>Invoice - 4/2/2025 11:00:26 AM</u> <u>Invoice - 4/2/2025 11:00:54 AM</u>	Holcombs Market 3/11/2025 2/27/2025 2/19/2025 2/6/2025	\$459.08 \$419.16 \$19.96 \$9.98 \$9.98	Water Water Water Water
Reference Number: 59362 <u>871042-1</u>	IBS Incorporated 3/14/2025	\$460.76 \$460.76	Ceramic Disc, Grinding Wheel
Reference Number: 59363 <u>1368928</u>	Inductive Automation LLC 3/27/2025	\$1,827.51 \$1,827.51	SCADA Support License
Reference Number: 59364 <u>2024-4</u>	Klickitat County Department of Corrections 3/5/2025	\$10,000.00 \$10,000.00	2024 Quarter 4
Reference Number: 59365 <u>2025-01-C24123</u>	Klickitat County Emergency Management 1/3/2025	\$11,940.52 \$11,940.52	2nd Quarter Dispatch Services
Reference Number: 59366 <u>INV00010-0325</u>	Klickitat County Health Dept 3/10/2025	\$175.00 \$175.00	Bacteria Sample
Reference Number: 59367 <u>442</u>	Knockerball Tricities LLC 3/17/2025	\$3,319.27 \$3,319.27	Community Days Vendor
Reference Number: 59368 <u>2A0102334</u> <u>3A0785612</u>	Lori Lynn Hoxtor Attorney at Law 3/18/2025 3/18/2025	\$3,320.00 \$355.00 \$550.00	Ms. Tasha Jo Carpenter Anthony Dobson

Reference	Date	Amount	Notes
Reference Number: 59368	Lori Lynn Hoxtor Attorney at Law	\$3,320.00	
4A0244578	3/18/2025	\$670.00	Jonathan Goddard
4A0423047	3/18/2025	\$1,370.00	Mr. Matthew Rommen
4A0423058	3/18/2025	\$375.00	Jerry Trout
Reference Number: 59369	Michael Hodges	\$32.39	
34600823366	3/12/2025	\$32.39	Wiper Blades
Reference Number: 59370	Michael Smith	\$70.00	
Invoice - 4/2/2025 12:49:37 PM	4/2/2025	\$70.00	Refund for FOP Dues
Reference Number: 59371	Mid-American Research Chemical	\$670.51	
0843487-IN	3/13/2025	\$670.51	Disinfectants
Reference Number: 59372	Mid-Columbia Veterinary	\$571.47	
230136	3/18/2025	\$571.47	Harley Surgery
Reference Number: 59373	O'Reilly	\$763.02	
2535-364933	3/4/2025	\$668.64	Filters
2535-366304	3/11/2025	\$17.52	Fuel/WTR SEP
2535-366307	3/11/2025	\$55.73	Filters
2535-367633	3/19/2025	\$21.13	O-Ring
Reference Number: 59374	Pioneer Surveying & Engineering Inc	\$24,520.00	
23-902-20	2/27/2025	\$9,525.00	23-902 Waterline Replacement
24-906-4	2/27/2025	\$11,070.00	24-906 Chip Seal TIB App
25-901-1	2/27/2025	\$300.00	25-901 S. Roosevelt St Short Plat
25-902-1	2/27/2025	\$3,625.00	25-902 W. Darland Reconstruction
Reference Number: 59375	Precision Service and Electric LLC	\$57.32	
Permit 6948	2/26/2025	\$57.32	Refund for Permit
Reference Number: 59376	Quality Control Service Inc	\$1,785.00	
INV12228663	3/12/2025	\$1,785.00	Lab Equipment
Reference Number: 59377	Radcomp Technologies	\$2,042.49	
106145	3/12/2025	\$1,558.75	Laptop for Shelly Enderby
106150	3/20/2025	\$483.74	Printer
Reference Number: 59378	RH2 Engineering Inc	\$36,112.18	
100364	3/19/2025	\$33,857.74	WWTP Improvements - SDC
100450	3/21/2025	\$2,254.44	Scada Support Services
Reference Number: 59379	SealMaster Portland	\$15,530.93	
56760	3/13/2025	\$15,530.93	Crack Master

Reference	Date	Amount	Notes
Reference Number: 59380	Shred Northwest Inc		
<u>53038031325</u>	3/13/2025	\$75.25	Shred Services
Reference Number: 59381	Sirennet		
<u>0281854</u>	3/13/2025	\$525.69	Airvan Parts
<u>0281920</u>	3/18/2025	\$150.93	Airvan Lights
<u>0281945</u>	3/19/2025	\$125.78	Airvan Lights
<u>0282133</u>	3/27/2025	\$150.29	Airvan Lights
		\$98.69	Airvan Wireless programmer
Reference Number: 59382	SW WA Regional Transportation Council		
<u>SS4 AG 4</u>	4/2/2025	\$3,500.00	Gorge Safe Streets for All
Reference Number: 59383	True North Equipment		
<u>A21032</u>	3/17/2025	\$1,135.11	5/8 Thread
<u>A21085</u>	3/20/2025	\$88.48	Cable Connector
Reference Number: 59384	Vestis		
<u>5291656795</u>	3/4/2025	\$341.12	Janitorial, Uniforms
<u>5291656796</u>	3/4/2025	\$16.12	Uniforms
<u>5291656797</u>	3/4/2025	\$33.64	Janitorial, Uniforms
<u>5291656813</u>	3/4/2025	\$16.12	Janitorial
<u>5291661121</u>	3/11/2025	\$19.40	Janitorial, Uniforms
<u>5291661122</u>	3/11/2025	\$16.12	Uniforms
<u>5291661123</u>	3/11/2025	\$33.64	Janitorial, Uniforms
<u>5291661138</u>	3/11/2025	\$16.12	Janitorial
<u>5291665439</u>	3/18/2025	\$19.40	Janitorial, Uniforms
<u>5291665440</u>	3/18/2025	\$16.12	Uniforms
<u>5291665441</u>	3/18/2025	\$33.64	Janitorial, Uniforms
<u>5291665457</u>	3/18/2025	\$16.12	Janitorial
<u>5291669789</u>	3/25/2025	\$19.40	Janitorial, Uniforms
<u>5291669790</u>	3/25/2025	\$16.12	Uniforms
<u>5291669791</u>	3/25/2025	\$33.64	Janitorial, Uniforms
<u>5291669806</u>	3/25/2025	\$16.12	Janitorial
Reference Number: 59385	Vic's Auto & Supply		
<u>115102</u>	3/4/2025	\$86.05	Supplies
Reference Number: 59386	Vision Municipal Solutions LLC		
<u>09-15784</u>	3/30/2025	\$1,230.40	Utility Billing
Reference Number: 59387	WA St Dept of Ecology		
<u>2025-BA0021121</u>	3/18/2025	\$1,641.31	Biosolids Annual Permit Fee

Reference	Date	Amount	Notes
Reference Number: 59388	Zumar Industries, Inc.	\$1,947.91	
<u>51590</u>	3/20/2025	\$1,947.91	Supplies
Reference Number: 59389	Hattenhauer Energy Co LLC	\$1,866.12	
<u>CL202556</u>	3/31/2025	\$1,866.12	Fuel
Reference Number: 59390	Allyns Building Center	\$3.43	
<u>381064</u>	3/1/2025	\$3.43	Sawtooth Hanger
Reference Number: 59391	Allyns Building Center	\$248.89	
<u>380765</u>	3/4/2025	\$11.60	Duct Tape
<u>380793</u>	3/4/2025	\$36.40	Wall Plates
<u>380835</u>	3/5/2025	\$34.38	Cement, Primer
<u>380837</u>	3/5/2025	\$2.56	Adapter
<u>380854</u>	3/6/2025	\$19.65	Tape
<u>380855</u>	3/6/2025	\$64.98	Oil, Sealant, Paint
<u>381065</u>	3/11/2025	\$16.95	Door Stops
<u>381526</u>	3/24/2025	\$10.19	Hose, Galv Elbow
<u>381534</u>	3/24/2025	\$23.20	Duct Tape
<u>381563</u>	3/25/2025	\$28.98	Spray Paint, Sanding Sponge, Painter Tape
Reference Number: 901880	Department of Revenue	\$9,268.99	
<u>Invoice - 4/2/2025 10:36:00 AM</u>	3/31/2025	\$9,268.99	Excise Tax March 2025
Reference Number: 901881	HSA Bank Employee Plan Funding	\$15,687.48	
<u>Invoice - 4/2/2025 11:08:27 AM</u>	3/14/2025	\$15,687.48	HSA Plan Funding

Register



Number	Name	Fiscal Description	Cleared	Amount
59327	Johnston, Steve	2025 - March 2025 - 2nd Council Mar 2025		\$45.35
59328	American Family Life	2025 - March 2025 - 2nd Council Mar 2025		\$110.50
59329	Deferred Comp Program	2025 - March 2025 - 2nd Council Mar 2025		\$735.50
59330	Dept of Labor & Industries	2025 - March 2025 - 2nd Council Mar 2025		\$2,751.53
59331	Dept of Retirement	2025 - March 2025 - 2nd Council Mar 2025		\$12,648.05
59332	Employment Security - PFML	2025 - March 2025 - 2nd Council Mar 2025		\$593.33
59333	Employment Security - WA Cares Fund	2025 - March 2025 - 2nd Council Mar 2025		\$462.77
59334	Employment Security Department	2025 - March 2025 - 2nd Council Mar 2025		\$177.66
59335	Vimly Benefit Solutions Inc	2025 - March 2025 - 2nd Council Mar 2025		\$42,465.28
59336	Washington State Support Registry	2025 - March 2025 - 2nd Council Mar 2025		\$148.87
901879	City of Goldendale	2025 - March 2025 - 2nd Council Mar 2025		\$22,994.83
	Payroll Vendor	2025 - March 2025 - 2nd Council Mar 2025		\$62,065.70
Direct Deposit Run -				
3/20/2025				
				\$145,199.37

AGENDA BILL: H1

AGENDA TITLE: PARKING ON EAST COLLINS

DATE: APRIL 7, 2025

ACTION REQUIRED:

ORDINANCE_____ COUNCIL INFORMATION_____X_____

RESOLUTION_____ OTHER_____

MOTION_____X_____

EXPLANATION:

The public hearing to discuss the parking options was held on April 7th, 2025.

The option for the next step is to make a motion tonight regarding the parking options on East Collins or make a motion to refer it back to the Public Works Committee for recommendations to the council.

FISCAL IMPACT:

ALTERNATIVES:

STAFF RECOMMENDATION:

MOTION:

AGENDA BILL: H2

**AGENDA TITLE: HEARING EXAMINER SERVICES
CONTRACT**

DATE: APRIL 7, 2025

ACTION REQUIRED:

ORDINANCE_____ COUNCIL INFORMATION_____X_____

RESOLUTION_____ OTHER_____

MOTION_____X_____

EXPLANATION:

Attached is the Hearing Examiner Services Contract. We went out to bid and received one contract back. The contract was reviewed by our Attorney Quinn Plant and his recommendation was this was a fair contract. They have a flat rate for specified permits / applications plus an hourly rate for appeals.

FISCAL IMPACT:

ALTERNATIVES:

STAFF RECOMMENDATION:

MOTION:

I MOVE TO AUTHORIZE THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH LAMINAR LAW, PLLC FOR HEARING EXAMINER SERVICES FOR THE PERIOD APRIL 1, 2025, TO DECEMBER 31, 2025.

PERSONAL SERVICES CONTRACT FOR HEARING EXAMINER SERVICES

The Parties to this Contract are the City of Goldendale ("City"), a municipal corporation of the State of Washington, and Laminar Law, PLLC ("Contractor"), a Professional Limited Liability Corporation licensed to do business in the State of Washington, collectively "the Parties."

In exchange for the compensation paid by the City under this Contract, Contractor agrees to provide Hearing Examiner services as authorized under the Goldendale Municipal Code

WHEREAS, Contractor is in the business of providing certain professional services specified herein; and

WHEREAS, the City desires to contract with Contractor for the provision of Hearing Examiner services, and Contractor agrees to contract with the City for same;

NOW, THEREFORE, in consideration of the mutual promises set forth herein, it is agreed by and between the Parties as follows:

1. SCOPE OF SERVICES

Contractor shall assign attorneys Yoshi Kumara and Peregrin Sorter to serve as Hearing Examiners for the City. The Hearing Examiner shall perform all duties set forth under the City of Goldendale Municipal Code, and all other actions reasonably necessary to fulfill the obligations of the position, as established by State Statute or City Ordinance. The Hearing Examiner shall also appoint a pro tem hearing officer to perform all of the duties of the Hearing Examiner in the absence or the inability of the named Hearing Examiners to act on an application. The Hearing Examiner shall be responsible for any pro tem hearing officers. City staff may, at its discretion, approve the use of a specific pro tem hearing officer prior to any such pro tem hearing examiner being used.

2. DURATION OF CONTRACT

This Contract shall be effective for a period commencing from the date of signature by both parties and shall continue in effect through _____, unless terminated by either party pursuant to Section 4 below.

3. COMPENSATION

The City will pay Contractor the following **flat rates** for the following specified decision/recommendation types:

\$1,950	\$3,400	\$4,300
Single-Family Residential Variances and Conditional Use Permits	Multifamily Residential Variances and Conditional Use Permits	Preliminary Plat Applications and Major Amendments

PROFESSIONAL SERVICES
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	Commercial, Industrial, and Public Agency Variances and Conditional Use Permits	Planned Residential Developments
	Shoreline Substantial Development Permits	Shoreline Variances and Conditional Use Permits
	Reasonable Use Exceptions	Multi-permit Applications
	Zoning Amendments	

Compensation for administrative appeals and unspecified application types shall be at a rate of **\$275/hour** unless the Parties agree in advance to a different compensation rate by mutual written agreement.

Contractor may submit an invoice for payment, with a description of tasks/services performed in the billing period, no more frequently than once per month. Invoices for work compensated at an hourly rate shall be calculated in increments of one-tenth of an hour.

If a dispute arises over an invoice the City will pay the portion of the invoice not in dispute within 5 business days. The Parties will make every effort to settle the disputed portion of the invoice in a timely manner.

The Parties have agreed that the above amount is sufficient to compensate Contractor for the contemplated Services; however, the Parties may agree to additional compensation and/or an amended scope of services in an addendum to this Contract. All adjustments to compensation, scope, or term must be by mutual written agreement.

4. TERMINATION OF CONTRACT

- a. Termination for Convenience. This Contract may be terminated by either Party at any time. Termination for convenience is effective upon 60 calendar days' written notice to the other Party
- b. Termination for Cause. If Contractor refuses or fails to complete the tasks described in this Contract, or to complete such work in a manner satisfactory to the City, the City may notify Contractor in writing of its intent to terminate the Contract by a specified date if the deficiency is not cured. If Contractor fails to cure the deficiency to the satisfaction of the City by the specified date, the City will send Contractor a termination letter which will be effective upon deposit in the United States mail addressed as set forth in the NOTICE section below.
- c. Rights Upon Termination. In the event of termination (whether for convenience or for cause), the City is only responsible for paying for services satisfactorily performed by Contractor up to the effective date of termination, as described in the final invoice to the City.

- d. If this Contract is terminated (whether for convenience or for cause), Contractor is responsible for transitioning all pending matters to their successor in an appropriate and timely manner, by providing all finished and unfinished findings, recommendations, reports or other documents prepared pursuant to this Contract to the successor designated by the City, or to the City in the absence of an identified successor. Contractor's notes and research are work product owned by Contractor and not required to be transferred, provided that any preliminary drafts prepared based on same are delivered to successor.
- e. The rights and remedies of the City provided in this subsection are not exclusive and are in addition to any other rights and remedies provided by law or under this Contract.

5. FORCE MAJEURE

Contractor is not responsible for delay or default caused by fire, flood, riot, acts of God, or war if the event is beyond Contractor's reasonable control and Contractor gives notice to the City immediately upon occurrence of the event causing the delay or default or that is reasonably expected to cause a delay or default.

6. NON-WAIVER OF BREACH

Failure of the City to insist upon strict performance of any of the covenants and agreements contained in this Contract or to exercise any option conferred in one or more instances, is not a waiver or relinquishment of said covenant, agreement, or option, and the same remain in full force and effect.

7. ENTIRE AGREEMENT; MERGER AND MODIFICATION

This Contract and any attachments or addenda constitute the entire agreement between the Parties. There are no understandings, agreements, or representations, oral or written, not specified within this Contract. This Contract may not be modified, supplemented, or amended, in any manner, except by written agreement signed by both Parties.

8. SEVERABILITY

If any term of this Contract is declared by a court having jurisdiction to be illegal or unenforceable, the validity of the remaining terms is unaffected, and, if possible, the rights and obligations of the Parties are to be construed and enforced as if the Contract did not contain that term. If any provision of this Contract is in direct conflict with any statutory provision of the State of Washington, it is inoperative and null and void insofar as it may conflict and is deemed to be modified to conform to such statutory provision.

9. ASSIGNMENT AND SUBCONTRACTS; AUTHORITY

Contractor may not assign or otherwise transfer or delegate any right or duty under this Contract without the City's express written consent. Contractor is solely responsible for the performance of the services specified under this Contract. Contractor does not have authority to Contract for or incur obligations on behalf of the City.

10. NOTICE

All formal notices required under this Contract must be given by certified mail and are complete on the date mailed when addressed to the Parties at the following addresses, or alternate addresses as may be specified in writing:

CITY: City of Goldendale
Attn: _____
1103 S. Columbus Ave,
Goldendale, WA 98620

CONTRACTOR: Laminar Law, PLLC
Attn: Yoshi Kumara, Managing Attorney
1919 N. Union Ave Tacoma WA 98406
(206) 658-3784
yoshi@laminarlaw.com

This provision is not intended to apply to informal communications, which are commonly conducted by email.

11. APPLICABLE LAW AND VENUE

This Contract is governed by and construed in accordance with the laws of the State of Washington. Any action to enforce this Contract must be adjudicated exclusively in the County of Klickitat.

12. INDEMNITY AND HOLD HARMLESS

Contractor shall defend, indemnify, and hold the City, its officers, officials, employees, and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or resulting from the acts, errors or omissions of the Contractor in performance of this Contract, except for injuries and damages caused by the sole negligence of the City.

However, should a court of competent jurisdiction determine that this Contract is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Contractor and the City, its officers, officials, employees, and volunteers, the Contractor's liability, including the duty and cost to defend, hereunder shall be only to the extent of the Contractor's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Contractor's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the Parties. The provisions of this section shall survive the expiration or termination of this Contract.

13. INSURANCE

a. Insurance Term

The Contractor shall procure and maintain for the duration of the Contract, insurance against claims for injuries to persons or damage to property which may arise from or in

PROFESSIONAL SERVICES
AGREEMENT

connection with the performance of the work hereunder by the Contractor, its agents, representatives, or employees.

b. No Limitation

The Contractor's maintenance of insurance as required by the Contract shall not be construed to limit the liability of the Contractor to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.

c. Minimum Scope of Insurance

The Contractor shall obtain insurance of the types and coverage described below:

1. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington. The Contractor certifies that Contractor is a limited liability corporation comprised of independent contractors, none of whom are employees. Contractor further certifies that any future employee(s) hired during the pendency of this Contract are prohibited from performing any aspect of this Contract unless and until the City receives an amended Contract that includes a Title 51 Waiver of Industrial Insurance.
2. Professional Liability insurance appropriate to the Contractor's profession.

d. Minimum Amounts of Insurance

The Contractor shall maintain the following insurance limits:

1. Contractor shall not use an automobile to perform any part of the Contract unless said automobile has in full force and effect Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident. The parties acknowledge that the work the Contractor performs under this Contract does not involve driving or the operation of an automobile on behalf of, or for, the City.
2. Professional Liability insurance shall be written with limits no less than \$2,000,000 per claim and \$2,000,000 policy aggregate limit.

e. Other Insurance Provision

If applicable, the Contractor's Automobile Liability insurance policies are to contain, or be endorsed to contain, that they shall be primary insurance as respect to the City. Any insurance, self-insurance, or self-insured pool coverage maintained by the City shall be in excess of the Contractor's insurance and shall not contribute with it.

f. Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.

g. Verification of Coverage

At the request of the City, the Contractor shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Contract before commencement of the work.

h. Notice of Cancellation

The Contractor shall provide the City with written notice of any policy cancellation within two business days of their receipt of such notice.

i. Failure to Maintain Insurance

Failure on the part of the Contractor to maintain the insurance as required shall constitute a material breach of Contract, upon which the City may, after giving five business days notice to the Contractor to correct the breach, immediately terminate the Contract or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand, or at the sole discretion of the City, offset against funds due the Contractor from the City.

j. City Full Availability of Contractor Limits

If the Contractor maintains higher insurance limits than the minimums shown above, the City shall be insured for the full available limits of Commercial General and Excess or Umbrella liability maintained by the Contractor, irrespective of whether such limits maintained by the Contractor are greater than those required by this Contract or whether any certificate of insurance furnished to the City evidences limits of liability lower than those maintained by the Contractor.

14. INDEPENDENCE OF HEARING EXAMINER

The Parties intend that an independent contractor/client relationship will be created by this Contract. Contractor is not a City employee for any purpose and is not eligible for any benefit provided by the City to its employees, including without limitation compensation, insurance and unemployment insurance, social security, and/or retirement benefits.

Contractor expressly represents, warrants and agrees that Contractor's status as an independent contractor in the performance of the work and services required under this Contract is consistent with and meets the six-part independent contractor test set forth in RCW 51.08.195.

The Parties agree that, because of the nature of the Hearing Examiner's role, Contractor must have independence in carrying out the responsibilities and duties described in the Goldendale Municipal Code and must be free from any improper influence from City officials or staff with respect to decisions or recommendations made on specific cases, issues, or permits. The Parties will maintain independence and the appearance of fairness even while coordinating those mutual activities as are required for the smooth functioning of a Hearing Examiner system.

15. SERVICES PROVIDED BY EACH PARTY

- a.** Contractor agrees to provide Hearing Examiner services as authorized under the Goldendale Municipal Code. This includes arranging, providing, and paying all costs and expenses for any support services necessary to perform the duties in a timely and lawful manner, except for the services described in paragraph b, which will be provided by the City. Support services to be independently provided by Contractor include typing and copying of decisions and correspondence; scheduling hearings; and coordinating with the City Clerk to arrange for a pro tem hearing officer when necessary. The costs and expenses for support services provided independently by Contractor include any payroll or subcontractor expenses due and owing to the persons who provide the support services.
- b.** City agrees to assist Contractor as the need arises with those support services that require City staff activity, including furnishing any needed staff reports, maps, and exhibits at least 5 business days prior to a hearing; providing copies of current relevant land use, shoreline management, and environmental regulations and associated policies; maintaining all official files and records of the hearings pursuant to retention schedules; furnishing a hearing room, remote hearing technology, microphone system, and audio recording system; and ensuring that all electronic equipment is functional during hearings. The City will pay all costs and expenses associated with providing the hearing room, remote hearing technology, technical support, and materials described in this paragraph.

16. PROFESSIONAL REQUIREMENTS; ETHICS

Contractor must keep current on issues relevant to Hearing Examiner duties through maintaining all required continuing education and ethics credits in the pertinent areas of the law. Contractor will not engage in or accept private employment from or render services for private interests when such employment or service is incompatible with the proper discharge of the official duties of the City of Goldendale Hearing Examiner, or would tend to impair independence of judgment or action in performing Hearing Examiner duties.

Contractor agrees to recuse from any matter brought before the Hearing Examiner where Contractor's ability to act is or appears to be impaired by personal interest, conflict of interest, or prehearing contact with a party or witness, unless all parties to the matter agree to allow Contractor to continue to act as Hearing Examiner.

The Effective Date of this Contract is the _____ day of _____, 2025.

HEARING EXAMINER:

CITY OF GOLDENDALE:

Laminar Law, PLLC

PROFESSIONAL SERVICES
AGREEMENT



Peregrin Sorter

Dated: March 18, 2025

Dated: _____

AGENDA BILL: H3

**AGENDA TITLE: NORTH PHASE OF WATERLINE
IMPROVEMENT PROJECT 2025**

DATE: APRIL 7, 2025

ACTION REQUIRED:

ORDINANCE_____ COUNCIL INFORMATION_____ X _____

RESOLUTION_____ OTHER_____

MOTION_____ X _____

EXPLANATION:

Please see Dustin Conroy's letter regarding his recommendation to award Ajax Northwest for the 2 Phase of the Waterline Improvement Project 2025. Dustin Conroy will be in attendance at the council meeting to answer the questions you have about the project.

FISCAL IMPACT:

ALTERNATIVES:

STAFF RECOMMENDATION:

MOTION:

**I MOVE TO AWARD THE 2025 PHASE 2 OF THE WATERLINE IMPROVEMENT
PROJECT TO AJAX NORTHWEST IN THE AMOUNT OF \$1,384,404.35**



Pioneer Surveying and Engineering, Inc.

Civil Engineering and Land Planning

April 2, 2025

City of Goldendale
Dave Jones, Mayor
1103 S. Columbus
Goldendale, WA 98620

RE: Phase 2 of Water Line Improvement Project 2025

Dear Mr. Jones:

I have reviewed the bids submitted at the March 19th bid opening for the Phase 2 of Water Line Improvement Project 2025.

Five bids were received and reviewed. Ajax Northwest provided the lowest bid for the project. The bid bond was attached, addenda were received, and all forms were completed properly. I recommend awarding Base Bid Schedule 1, Additive Item 1-option A, Base Bid Schedule 2, and Additive Item 2 for the total amount of \$1,384,404.35.

I recommend awarding the contract to Ajax Northwest for Phase 2 of Water Line Improvement Project 2025.

Please contact us if you have any questions.

Sincerely,

DUSTIN CONROY, PE/PLS

AGENDA BILL: H4

AGENDA TITLE: 2025 PAVEMENT PRESERVATION PROJECT

DATE: APRIL 7, 2025

ACTION REQUIRED:

ORDINANCE _____ COUNCIL INFORMATION _____ X _____

RESOLUTION _____ OTHER _____

MOTION _____ X _____

EXPLANATION:

Please see Dustin Conroy's letter regarding his recommendation to award Tommer Construction Company Inc for the 2025 Pavement Preservation Project. Dustin will be in attendance at the council meeting to answer any questions you have about the project

FISCAL IMPACT:

ALTERNATIVES:

STAFF RECOMMENDATION:

MOTION:

I MOVE TO AWARD THE 2025 PAVEMENT PRESERVATION PROJECT TO TOMMER CONSTRUCTION COMPANY INC IN THE AMOUNT OF \$722,533.60



Pioneer Surveying and Engineering, Inc.

Civil Engineering and Land Planning

April 2, 2025

City of Goldendale
Dave Jones, Mayor
1103 S. Columbus
Goldendale, WA 98620

RE: 2025 Pavement Preservation Project

Dear Mr. Jones:

I have reviewed the bids submitted at the March 13th bid opening for the 2025 Pavement Preservation Project.

Seven bids were received and reviewed. Tommer Construction Company, Inc. provided the lowest bid for the project. The bid bond was attached, addenda were received, and all forms were completed properly. I recommend awarding Base Bid Schedule 1, Additive Item 1, 2, and 3 for the total amount of \$722,533.60.

I recommend awarding the contract to Tommer Construction Company, Inc. for the 2025 Pavement Preservation Project.

Please contact us if you have any questions.

Sincerely,

DUSTIN CONROY, PE/PLS

AGENDA BILL: I1

AGENDA TITLE: RESOLUTION NO 744 – Tourism Funding

DATE: APRIL 7, 2025

ACTION REQUIRED:

ORDINANCE_____ COUNCIL INFORMATION_____

RESOLUTION X OTHER_____

MOTION X

EXPLANATION:

The Event Committee has met with the applicants for the award of Tourism dollars. The application totaled \$5,000.00. The committee gave a recommendation to the council on March 3, 2025 for approval. The recommendation of the committee was to fund requests in the amount of \$5,000.00 in accordance with Exhibit A.

FISCAL IMPACT:

ALTERNATIVES:

STAFF RECOMMENDATION:

MOTION:

I MOVE TO APPROVE RESOLUTION 744 AUTHORIZING THE FUNDING FOR TOURISM EVENT FOR 2025 IN THE AMOUNT OF \$5,000.

**CITY OF GOLDENDALE
GOLDENDALE, WASHINGTON**

RESOLUTION NO. 744

**A RESOLUTION AUTHORIZING FUNDING FOR TOURISM EVENTS AND
FESTIVALS IN 2025 WITH FUNDS RECEIVED FROM THE COLLECTION OF LODGING
TAXES IN ACCORDANCE WITH THE GOLDENDALE MUNICIPAL CODE SECTION
CHAPTER 3.22**

WHEREAS, the suggested budget for funding of the events and festivals from this application process was \$80,000.00, and

WHEREAS, on February 11, 2025, one (1) application for funding were received totaling \$5,000.00, and

WHEREAS, on February 12, 2025, the Event Committee met to make a recommendation to the City Council and to fund the requests in the amount of \$5,000.00 in accordance with the spread sheet attached as Exhibit A, and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
GOLDENDALE, WASHINGTON AS FOLLOWS:**

The City Council of the City of Goldendale approves the recommendation of the Event Committee, in accordance with Exhibit A attached to this resolution, for funding events and festivals for the City of Goldendale and further that staff be directed to prepare agreements, substantially in form attached hereto, as Exhibit B, and the Mayor to execute the same with each of the event organizers.

APPROVED BY THE GOLDENDALE CITY COUNCIL THIS 7th DAY OF APRIL 2025.

David Jones, Mayor

ATTEST:

Shelly Enderby, Clerk-Treasurer

2025 Final Applicants

	<u>Requested</u>	<u>Committee Recommendations</u>
Brighter Goldendale Christmas Committee	\$	\$
Abate of Washington	\$	\$
Kiwanis	\$	\$
Goldendale Pride Event	\$	\$
Goldendale Chamber of commerce	\$	\$
Old Hwy 97 Cruisers	\$ 5000	\$5000
TOTAL	\$5000	\$5000

CITY OF GOLDENDALE

AGREEMENT FOR TOURISM PROMOTION SERVICES WITH THE GOLDENDALE OLD HWY 97 CRUISERS

I. PARTIES

This Agreement is entered into by and between City of Goldendale, a municipal corporation, with its principal office located at 1103 S. Columbus, Goldendale, Washington 98620, hereinafter referred to as "GOLDENDALE," and Old HWY 97 Cruisers c/o PO Box 141, Goldendale, WA 98620, a non-profit corporation, hereinafter referred to as the "Old HWY 97 Cruisers".

II. RECITALS

- A. Goldendale has imposed a tax pursuant to chapter 67.28 of the Revised Code of Washington, known as the Hotel/Motel Tax.
- B. Chapter 67.28 of the Revised Code of Washington authorizes agreements with marketing organizations for marketing and operation of special events and festivals.
- C. Pursuant to RCW 67.28.1815, the City of Goldendale is authorized to expend special excise tax funds for "paying all or any part of the costs of tourism promotion, acquisition of tourism-related facilities, or operation of tourism-related facilities". "Tourism promotion" is defined in RCW 67.28.080(6) as amended by Chapter 497 Laws of 2007, to mean activities, operations, and expenditures designed to increase tourism, including but not limited to advertising, publicizing, or otherwise distributing information for the purpose of attracting and welcoming tourists; developing strategies to expand tourism; operating tourism promotion agencies; and funding the marketing of or operation of special events and festivals designed to attract tourists.

III. STATEMENT OF SERVICES

The work to be performed by OLD HWY 97 CRUISERS under this Agreement is set forth in "Appendix A – Statement of Work," attached hereto.

IV. COMPENSATION

The OLD HWY 97 CRUISERS will be paid in accordance with "Appendix B - Schedule of Payments," attached hereto.

V. TERM OF AGREEMENT

This Agreement shall commence March 3, 2025 and terminate December 31, 2025.

VI. **DOCUMENTS INCORPORATED**

The following documents are, by this reference, incorporated into and made a part of this Agreement for Consulting Services.

General Terms and Conditions
Appendix A - Statement of Work
Appendix B - Schedule of Compensation, Method of Payment,
Reporting and Record Keeping
Appendix C – Post Event/Activity Information Report for Lodging Tax
Recipients

VII. **ADMINISTRATION**

Goldendale's Contracting Officer for this work is Dave Jones, Mayor or his designee.

VIII. **BOUND PARTIES**

This Agreement shall be binding upon the parties hereto and their representatives, heirs, executors, successors, and assigns.

IX. **EXECUTION**

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement.

CITY OF GOLDENDALE

**GOLDENDALE MOTORSPORTS
ASSOCIATION**

By: _____
Title: Mayor

By: _____
Title: President

ATTEST:

By: _____
City Clerk

OLD HWY 97 CRUISERS
Federal ID No:

Date: _____

Address: 1103 S. Columbus
Goldendale, WA 98620

Address: PO Box 141
Goldendale, WA 98620

GENERAL TERMS AND CONDITIONS

1. DEFINITIONS

(a) **GOLDENDALE**

“GOLDENDALE” shall mean the City of Goldendale, a municipal corporation.
“OLD HWY 97 CRUISERS ” shall mean the person, firm, partnership, or corporation that has executed this Agreement.

(b) *Subcontractor*

A person, firm, partnership, or corporation having a contract, with a subcontractor to any tier of OLD HWY 97 CRUISERS for the performance of any part of the work.

2. AGREEMENT

This Agreement represents and incorporates the entire understanding of the parties hereto concerning the Statement of Work specified in “Appendix A”, and each party acknowledges that there are no warranties, representations, covenants, or understandings of any kind, manner, or description whatsoever by either party of the other except as expressly set forth and hereinabove written.

3. INDEPENDENT CONTRACTOR

In performing services under this Agreement OLD HWY 97 CRUISERS shall operate as and have the status of an independent contractor and shall not act as or be an agent or employee of GOLDENDALE. For this reason, all of the OLD HWY 97 CRUISERS activities will be at its own risk.

4. PROFESSIONAL CONDUCT

OLD HWY 97 CRUISERS agrees to perform its consulting services with that standard of care, skill, and diligence normally provided by a professional person in the performance of such consulting services in respect to work similar to that herein. OLD HWY 97 CRUISERS is hereby given notice that GOLDENDALE will be relying on the accuracy, competence, and completeness of OLD HWY 97 CRUISERS services hereunder in utilizing the results of such services.

5. INDEMINIFICATION

OLD HWY 97 CRUISERS shall protect, hold free and harmless, defend, and pay on behalf of GOLDENDALE (including its managers, directors, employees, and agents) all liability, penalties, costs, losses, damage, expense, causes of action, claims, or judgments (including attorneys’ fees) resulting from injury or death, sustained by any person (including OLD HWY 97 CRUISER ’s employees) or damage to property of any kind which injury, death, or damage arises out of or is in any way connected with OLD HWY 97 CRUISER ’s performance of this Agreement. OLD HWY 97 CRUISER ’s hold harmless agreement shall apply to any act or omission, willful misconduct, or negligence, whether passive or active, on the part of OLD HWY 97 CRUISERS (its agents or employees): except, that this Agreement shall not be applicable to injury, death, or damage to property or persons arising from the sole negligence or the sole willful misconduct of GOLDENDALE, its managers, directors, employees, and agents.

In any and all claims against GOLDENDALE by any employee of OLD HWY 97 CRUISERS , the indemnification and hold-harmless obligation herein shall not be limited in any way by any limitation on the amount or type of damages, compensation, or benefits payable by or for the

OLD HWY 97 CRUISERS under work's compensation acts, disability benefit acts, or other employee benefit acts, AND **CONSTULTANT SPECIFICALLY AND EXPRESSLY WAIVES ANY IMMUNITY UNDER SUCH ACTS. OLD HWY 97 CRUISERS ACKNOWLEDGES THAT THIS WAIVER HAS BEEN MUTUALLY NEGOTIATED BY THE PARTIES.**

6. INSURANCE

The *OLD HWY 97 CRUISERS* shall have, and maintain throughout the Contract period, insurance and benefits in the following minimum requirements: (a) Workers' compensation insurance, Social Security, Federal Income Tax deductions, and any other taxes or payroll deductions required by law for, or on behalf of its employees.

(b) Employer's liability, professional liability, commercial general liability (bodily injury and property damage) and comprehensive automobile liability (bodily injury and property damage) insurance, with each policy having maximum limits of not less than \$1,000,000, aggregate of \$2,000,000

(c) Contractor shall provide an endorsement on the Commercial General Liability and Property Damage policy naming GOLDENDALE as additional insured and add a separation-of-insured clause or a cross-liability endorsement.

GOLDENDALE shall have the right at any time to require commercial general liability, automobile liability, and property damage insurance greater than those required in subsection (b) of this section. If so, *OLD HWY 97 CRUISERS* shall have the right to cancel this agreement, in writing, within 30 days of the request.

OLD HWY 97 CRUISERS shall deliver to GOLDENDALE, no later than ten (10) days after award of the Agreement, but in any event prior to execution of the Agreement by GOLDENDALE and prior to commencing work, Certificates of Insurance, identified on their face as the Agreement Number to which applicable, as evidence that policies providing such coverage and limits of insurance are in full force and effect. Said Certificates shall provide that not less than thirty (30) days' advance notice will be given in writing to GOLDENDALE prior to cancellation, termination, or alteration of said policies of insurance.

7. DISCOVERY OF CONFLICTS, ERRORS, OMISSIONS, OR DISCREPANCIES.

In case of conflict or discrepancies, errors, or omissions among various parts of the Agreement, the matter shall be submitted immediately by *OLD HWY 97 CRUISERS* to GOLDENDALE for clarification. Any work affected by such conflicts, discrepancies, errors or omissions which is performed by *OLD HWY 97 CRUISERS* prior to clarification by Goldendale shall be *OLD HWY 97 CRUISERS* 's risk.

8. NONDISCLOSURE

OLD HWY 97 CRUISERS agrees that it will not divulge to third parties, without the written consent of GOLDENDALE, any information which relates to GOLDENDALE obtained from or through GOLDENDALE in connection with the performance of this Agreement unless: (i) the information is known to *OLD HWY 97 CRUISERS* prior to obtaining the same from GOLDENDALE; (ii) the information is obtained by *OLD HWY 97 CRUISERS* from a third party who did not receive the same, directly or indirectly, from GOLDENDALE and who has no obligation or nondisclosure with respect thereto. *OLD HWY 97 CRUISERS* further agrees that he will comply with all applicable federal and state laws regarding the nondisclosure of information and records regarding persons served by GOLDENDALE.

If so requested by *OLD HWY 97 CRUISERS* further agrees to require its employees to execute a Nondisclosure Agreement prior to performing any services under this Agreement.

9. SUBCONTRACTS

Any contract entered into by *OLD HWY 97 CRUISERS* with any subcontractor or any person or organization for the performance of this Agreement or any portion thereof without prior written consent of GOLDENDALE shall be void. Consent will not be given to any proposed contract, as mentioned above, which would relieve *OLD HWY 97 CRUISERS* or its insurer of its responsibilities under this Agreement.

10. COMPLIANCE WITH LAWS

This Agreement shall be governed by and construed in accordance with the laws of the State of Washington.

OLD HWY 97 CRUISERS shall promptly give all notices and comply strictly with all laws, codes, ordinances, rules, orders, and regulations applicable to the work. *OLD HWY 97 CRUISERS* shall hold GOLDENDALE harmless as a result of any infractions thereof by it or any of its Subcontractors.

11. TERMINATION

(a) Either party, may, by written notice, terminate this Agreement in whole or in part any time, either for GOLDENDALE'S convenience or for the default of *OLD HWY 97 CRUISERS*. Written notice must be provided ninety (90) days prior to the termination date. Upon such termination, all reports, summaries, and such other information and materials as may have been accumulated by the *OLD HWY 97 CRUISERS* in the exclusive performance of this Agreement shall, in the manner and to the extent determined by GOLDENDALE, become the property of and be delivered to GOLDENDALE.

(b) If the termination is for the convenience of GOLDENDALE, an Agreement price shall be made by Agreement between *OLD HWY 97 CRUISERS* and GOLDENDALE in the compensation to be paid *OLD HWY 97 CRUISERS* under this Agreement, but no amount shall be allowed for anticipated profit or unperformed services.

(c) If, after notice of termination for failure to fulfill obligations this Agreement, it is determined that the *OLD HWY 97 CRUISERS* had not so failed, the termination shall be deemed to have been affected for the convenience of GOLDENDALE. In such event, adjustment in the Agreement price shall be made as provided in paragraph (b) above.

(d) The rights and remedies of GOLDENDALE provided in this Article are in addition to any other rights, and remedies provided by law or under this Agreement.

12. CHANGES

GOLDENDALE may at any time, by written order, make changes in the services to be performed within the Statement of Work of this Agreement. If such changes cause an increase or decrease in the cost of, or time required for, performance of any services under this Agreement, an equitable adjustment shall be made, and the Agreement shall be modified in writing accordingly. Any claim for adjustment under this Article must be asserted in writing within thirty (30) days from the date of receipt by the *OLD HWY 97 CRUISERS* of the notification of change.

13. PROGRESS REVIEW

The services performed under this Agreement shall be subject to review by GOLDENDALE. This periodic review shall not relieve the *OLD HWY 97 CRUISERS* of responsibility for proper performance of the services.

14. AUDITS

The *OLD HWY 97 CRUISERS* shall, during the life of this contract and for a period of three (3) years

following final settlement and close out of this Agreement, retain sufficient evidence, which shall be freely disclosed to GOLDENDALE, its agents and representatives to permit verification of proper performance and entitlement to payments for work under this Agreement.

15. REPORTS AND RECORDS

The OLD HWY 97 CRUISERS shall provide reports submitted in the manner directed by GOLDENDALE. The OLD HWY 97 CRUISERS shall maintain on file and have available to GOLDENDALE its calculations in legible form for a period of three (3) years following termination of this Agreement. Reports, and any other documents prepared by the OLD HWY 97 CRUISERS in connection with any or all of the services furnished hereunder shall be the property of GOLDENDALE.

16. NOTICES

All notices pursuant to this Agreement shall be in writing; may be delivered by messenger, by telecopier with telephone confirmation, or by certified mail, return receipt requested; and shall be effective upon receipt thereof. All notices shall be directed to the party intended as the recipient thereof at the address of such party set forth herein, or at such other person as such party shall have designated for such purpose in a written notice.

- END

APPENDIX A

SCOPE OF WORK

Advertise, market, and operate two events:

1. Car show during Community Days for Saturday, July 11th and 12th, 2025.

**APPENDIX B-COMPENSATION, METHOD OF PAYMENT,
REPORTING AND RECORD KEEPING**

Terms of compensation are as follows:

TOTAL \$ 5,000.00

METHOD OF PAYMENT

Payments will be made based on claims for reimbursement of expenses incurred by the OLD HWY 97 CRUISERS in connection with performing the approved scope of work. The invoice should be submitted one week prior to the first Monday of the month following the month of service (For example, the invoice for payment of services for January should be submitted to the City by January 25, 2025. ****This payment will be processed by the City Council in a special accommodation meeting as this application came in after the original deadline.

REPORTING AND RECORD KEEPING

OLD HWY 97 CRUISERS shall provide the City with reports that meet the requirements of RCW 67.28.1816 (2) (c). A copy of the report is attached as Appendix C.

The OLD HWY 97 CRUISERS shall maintain accounts and records which accurately reflect the revenue and costs for the scope of work described in Appendix A. These financial records and all records relating to the performance of this contract shall be available for City Inspection.

AGENDA BILL: J1

AGENDA TITLE: ORD NO 1541 – HEARING EXAMINER

DATE: APRIL 7, 2025

ACTION REQUIRED:

ORDINANCE X COUNCIL INFORMATION

RESOLUTION OTHER

MOTION X

EXPLANATION:

Ordinance 1541 will eliminate the Board of Adjustment and create the office of Hearing Examiner. It establishes qualifications for the position, providing for the appointment of a suitable person to the position, defining the duties of the position, providing procedures for the hearings of the Hearing Examiner and repealing any conflicting ordinance.

FISCAL IMPACT:

ALTERNATIVES:

STAFF RECOMMENDATION:

MOTION:

I MOVE TO ACCEPT ORDINANCE NO 1541 ELIMINATING THE BOARD OF ADJUSTMENT AND CREATING THE OFFICE OF THE HEARING EXAMINER FOR IT'S 1ST READING.

(OPTION – YOU CAN WAIVE THE 2ND READING IF YOU ARE READY TO APPROVE IT)

ORDINANCE NO. 1541

**AN ORDINANCE OF THE CITY OF GOLDENDALE,
WASHINGTON, ELIMINATING THE BOARD OF
ADJUSTMENT; CREATING THE OFFICE OF HEARING
EXAMINER; ESTABLISHING QUALIFICATIONS FOR
THE POSITION; PROVIDING FOR THE APPOINTMENT
OF A SUITABLE PERSON TO THE POSITION; DEFINING
THE DUTIES OF THE POSITION; PROVIDING
PROCEDURES FOR HEARINGS OF THE HEARING
EXAMINER; AND REPEALING ANY CONFLICTING
ORDINANCES**

**THE CITY COUNCIL OF THE CITY OF GOLDENDALE, WASHINGTON DO
ORDAIN AS FOLLOWS:**

SECTION 1. Chapter 17.64 of the Goldendale Municipal Code ("GMC"), Board of Adjustment, is repealed in its entirety.

SECTION 2. A new Chapter 2.50 of the GMC, Office of the Hearing Examiner, is hereby adopted to read as follows:

2.50.010 Purpose.

It is the purpose of this chapter:

- A. With regard to land use matters to:
 - 1. Provide a single, efficient, integrated land use regulatory hearing system;
 - 2. Render land use regulatory decisions and recommendations to the city council;
 - 3. Provide a greater degree of due process in land use regulatory hearings;
 - 4. Separate the land use policy formulation and the land use policy administration processes.
- B. With regard to other matters to:
 - 1. Provide a single, efficient integrated system for hearing appeals of administrative decisions;
 - 2. Provide a forum to hear other matters as established by city code.

2.50.020 Creation.

The office of the hearing examiner is created. The hearing examiner shall interpret, review, and implement land use regulations, hear appeals from orders, recommendations, permits, decisions or determinations made by a city official as set forth in this chapter, and review and hear other matters as provided for in this code and other ordinances.

2.50.030 Appointment and terms.

The hearing examiner shall be appointed by and shall serve at the pleasure of the city council.

2.50.040 Compensation.

The city shall contract with the hearing examiner for the performance of duties described in the code. The compensation paid the hearing examiner shall be that established in the contract.

2.50.050 Qualifications.

The hearing examiner shall be appointed solely with regard to his or her qualifications for the duties of the office, which shall include, but not be limited to, any or all of the following:

- A. Appropriate educational experience, such as an urban planner or public administrator;
- B. Extensive experience in planning work in a responsible capacity; and
- C. Legal experience, particularly where the experience is in the area of land use management or administrative law.

2.50.060 Conflict of interest.

The hearing examiner shall not conduct or participate in any hearing or decision in which he or she has a direct or indirect personal interest which might exert such influence sufficiently to interfere with the decision-making process. Any actual or potential conflict of interest shall be disclosed to the parties immediately upon discovery of such conflict. If the hearing examiner concludes that he or she has a conflict of interest, then unless all parties agree in writing to have the matter heard by that hearing examiner, the hearing examiner shall disqualify himself or herself from participating in the deliberations and the decision-making process with respect to the matter. If this occurs and there is not a pro tem hearing examiner already appointed, the mayor shall appoint a person to serve as the hearing examiner for that matter.

2.50.070 Freedom from improper influence.

No city council member, city official or any other person shall attempt to interfere with, or improperly influence, the hearing examiner in the performance of his or her designated duties.

2.50.080 Duties.

A. Applications. The hearing examiner shall receive and examine available information, conduct public hearings, prepare a record thereof, and enter findings of fact and conclusions based upon these facts, which conclusions shall represent the final action on the application, unless appealed as hereinafter specified, for the following:

1. Conditional use permits pursuant to Chapter 17.62 GMC; and
2. Variances pursuant to Chapter 17.60 GMC;

B. Appeals. With respect to appeals, the hearing examiner shall receive and examine available information, conduct public hearings, prepare a record thereof, and enter findings of fact and conclusions based upon those facts, which conclusions shall represent the final action on the appeal for the following:

1. Appeals from development plan and zoning permit review decisions;
2. Appeals from administrative interpretation decisions;
3. Appeals from administrative design review decisions;
4. Appeals from preliminary approval of short subdivisions pursuant to GMC 16.16.090;
5. Appeals from orders and decisions issued under Title 15 of the Goldendale Municipal Code.
6. Appeals from notices and orders issued under Title 8 of the Goldendale Municipal Code;
7. Appeals of SEPA determinations;
8. All other hearings and appeals provided for in the Goldendale Municipal Code, except for those before the community review board. If there is a conflict between this section and any other code section regarding hearings or appeals, this chapter shall apply, and the hearing examiner is hereby designated to hear all hearings and appeals provided for in this code.

C. Recommendations. The hearing examiner shall receive and examine available information, conduct public hearings, prepare a record thereof and enter

findings of fact and conclusions based upon those facts, together with a recommendation to the city council, for the following:

1. Annexations;
2. Rezones;
3. Preliminary plats;
4. Planned unit developments; and
5. All other hearings and appeals provided for in the Goldendale Municipal Code whether designated as an appeal to the city council or hearings before any other commission or board. In the event there is a conflict between this section and any other code section regarding hearings or appeals, this chapter shall apply, and the hearing examiner is hereby designated to hear all hearings and appeals provided for in this code.

D. Public Hearings. The hearing examiner shall conduct public hearings when required under the provisions of the State Environmental Policy Act; conduct open record public hearings or closed-record appeals in accordance with the provisions of GMC Title 14, Administration of Development Regulations; and conduct such other hearings as the city council may from time to time deem appropriate.

E. References. All references in the city code and elsewhere to the board of adjustment and the board of appeals shall be construed as referring to the hearing examiner. The provisions of this chapter shall supersede any inconsistent or conflicting provisions elsewhere in this code as to the powers and duties of the planning commission.

F. Recommendation or Decision. The hearing examiner's recommendation or decision may be to grant or deny the application, or the hearing examiner may recommend or require of the applicant such conditions, modifications and restrictions as the hearing examiner finds necessary to make the application compatible with its environment, with applicable state laws, and to carry out the objectives and goals of the comprehensive plan, the zoning code, the subdivision code, and other codes and ordinances of the city. Conditions, modifications and restrictions that may be imposed are, but are not limited to, additional setbacks, screenings in the form of landscaping and fencing, covenants, easements and dedications of additional road rights-of-way. Performance bonds or other financial assurances may be required to ensure compliance with conditions, modifications and restrictions.

2.50.090 Applications.

Applications for all matters to be heard by the hearing examiner shall be presented to the affected city department and to the city clerk. When it is found an application meets the applicable requirements, the application shall be accepted. The city clerk shall be responsible for assigning a date for the public hearing for each application. The date set for a public hearing shall not be more than 60 calendar days after the applicant has complied with all requirements and furnished all necessary data to the city clerk. Hearings on project permit applications are subject to the notice and hearing requirements set forth in Chapter 17.58 GMC, Administration of Development Regulations.

2.50.100 Fees.

All applications made or appeals filed under this chapter shall be accompanied by the fee required by Section 17.58.710 or other applicable ordinance.

2.50.110 Report by city department.

For permit applications, the city clerk shall coordinate and assemble the comments and recommendations of city departments and governmental agencies having an interest in the application and shall prepare a report that includes the information described in Chapter 17.58 GMC, Administration of Development Regulations. For all other matters, the appropriate city department shall prepare a report summarizing the factors involved and the department findings and supportive recommendations. At least seven calendar days prior to the scheduled hearing, the report shall be filed with the hearing examiner and copies shall be mailed to the applicant and shall be made available for use by any interested party for the cost of reproduction.

2.50.120 Open record public hearing.

A. Before rendering a decision or recommendation on any application, the hearing examiner shall hold at least one open record public hearing thereon.

B. For permit applications, notice of the time and place of the public hearing shall be given as provided in Chapter 17.58 GMC, Administration of Development Regulations. For all other applications, notice of the time and place of the public hearing shall be given as provided in the ordinance governing the application. If none is specifically set forth, such notice shall be given at least 10 working days prior to such hearing.

C. The hearing examiner shall have the power to prescribe rules and regulations for the conduct of hearings under this chapter and to administer oaths and preserve order.

2.50.130 Decision and recommendation.

A. When the hearing examiner renders a decision or recommendation, the hearing examiner shall make and enter written findings from the record and conclusions therefrom which support such decision. The decision shall be rendered within 10 working days following conclusion of all testimony and

hearings, unless a longer period is mutually agreed to on the record by the applicant and the hearing examiner. The copy of such decision, including findings and conclusions, shall be transmitted by first-class mail to the applicant and other parties of record in the case requesting the same. There shall be kept in the planning department a signed affidavit which shall attest that each mailing was sent in compliance with this provision.

B. In the case of applications requiring city council approval, the hearing examiner shall file a decision with the city council at the expiration of the period provided for reconsideration or, if reconsideration is accepted, within 10 working days after the decision on reconsideration.

2.50.140 Reconsideration.

A party of record believing that a decision or recommendation of the hearing examiner is based on erroneous procedures, errors of law or fact, or the discovery of new evidence which could not be reasonably available at the prior hearing, may make a written request for reconsideration by the hearing examiner within five working days of the date the decision or recommendation is rendered. This request shall set forth the specific errors or new information relied upon by such appellant, and the hearing examiner may, after review of the record, take further action as he or she deems proper. If a request for reconsideration is accepted, a decision is not final until after a decision on reconsideration is issued.

2.50.150 Appeal of decision.

A. Any party who feels aggrieved by the hearing examiner's decision may submit an appeal within 21 calendar days from the date the final decision of the hearing examiner is rendered to the Klickitat County Superior Court.

B. No appeal may be made from a recommendation of the hearing examiner.

2.50.160 City council action.

A. Any application requiring action by the city council shall be taken by the adoption of a motion, resolution or ordinance by the city council. When taking any such final action, the city council shall make and enter the findings of fact from the record and conclusions therefrom which support its action. The city council may adopt all or portions of the findings and conclusions from the hearing examiner's recommendation.

B. In the case of an ordinance for rezone of property, the ordinance shall not be placed on the city council's agenda until all conditions, restrictions or modifications that may have been stipulated by the city council have been accomplished or provisions for compliance made to the satisfaction of the legal department.

C. The action of the city council, approving, modifying, or rejecting a recommendation of the hearing examiner, shall be final and conclusive.

Appellants have 21 calendar days from the date of the city council action to file an appeal with the superior court.

2.50.170 City administrative staff is to be considered a person or party.

The city's administrative staff shall be considered a "person" and/or "party" and shall have the same rights as any other person or party to make requests for reconsideration to the hearing examiner or to appeal decisions of the hearing examiner to superior court.

SECTION 3. GMC Chapter 15.60, Board of Appeals, is repealed in its entirety.

SECTION 4. Section 17.58.030, Determination of proper procedure type, is hereby amended to read as follows:

17.58.030 Determination of proper procedure type.

A. Determination by Administrator. The city administrator or his/her designee (hereinafter the "administrator"), shall determine the proper procedure for all development applications. If there is a question as to the appropriate type of procedure, the administrator shall resolve it in favor of the higher procedure type number.

B. Optional Consolidated Permit Processing. An application that involves two or more procedures may be processed collectively under the highest numbered procedure required for any part of the application or processed individually under each of the procedures identified by the code. The applicant may determine whether the application shall be processed collectively or individually. If the application is processed under the individual procedure option, the highest numbered type procedure must be processed prior to the subsequent lower numbered procedure.

C. Decision-maker(s). Applications processed in accordance with subsection B of this section which have the same highest numbered procedure but are assigned different hearing bodies shall be heard collectively by the highest decision-maker(s). The city council is the highest, followed by the planning commission, then the hearing examiner, and then the administrator. Joint public hearings with other agencies shall be processed according to Section 17.58.050.

SECTION 5. Section 17.58.040, Project Permit Application Framework, is hereby amended to read as follows:

ACTION TYPE					
PROCEDURE PROJECT PERMIT APPLICATIONS (TYPE I--IV)					
	Type I	Type II	Type III	Type IV	Type V
Recommendation made by:	N/A	N/A	Staff	Hearing Examiner	Planning Commission
Final decision made by:	Admin.	Admin.	Hearing Examiner	City Council	City Council
Notice of application	No	Yes	Yes	No	No
Open record public hearing:	Only if appealed, open record hearing before City Council	Only if appealed, open record hearing before City Council	Yes, before Planning Commission or Hearing Examiner to render final decision	No	Yes, before Planning Commission to make recommendation to Council
Closed record appeal/final decision:	No	No	Only if appealed, then before Council, unless rezone, preliminary and final plats then before Council for approval	Yes, before Council to render final decision	Yes, or Council could hold its own hearing

A. The following are Type I land use decisions unless they require SEPA review, in which case they shall be a Type II land use decision:

1. Permitted uses not requiring site plan review in accordance with Chapter 17.46.

2. Boundary line adjustments.
 3. Lot consolidations.
 4. Sign permits in accordance with Chapter 17.42 unless a different process is designated in that chapter for a specific permit.
 5. Minor amendment to PUD in accordance with Section 17.30.150(B).
 6. Accessory apartments in accordance with Section 17.04.035.
 7. In home day cares in accordance with Section 17.8.030, 17.10.030, 17.12.030, 17.14.030 and 17.16.030.
 8. Special event permits in accordance with Chapter 12.24.
 9. Permits or decisions issued or rendered in accordance with Chapter 15.48.
- B. The following are Type II land use decisions:
1. Site plan review in accordance with Section 17.46.020(A).
 2. Site plan review in accordance with Section 17.46.020(B).
 3. Nursery schools and day care centers in accordance with Sections 17.08.040, 17.10.040, 17.12.040, 17.14.040 and 17.16.040.
 4. Short plats or short plat amendments in accordance with Chapter 16.16, unless it contains a dedication of right-of-way, in which case it shall be a Type III decision.
 5. Home occupations in accordance with Chapter 17.48.
- C. The following are Type III land use decisions:
1. Preliminary plats or alteration of preliminary plats in accordance with Chapter 16.20 (hearing examiner recommendation).
 2. Planned unit development in accordance with Chapter 17.30 (hearing examiner recommendation).
 3. Conditional use permits in accordance with Chapter 17.62 (hearing examiner).
 4. Variances in accordance with Chapter 17.60 (hearing examiner).

5. Site-specific rezones in accordance with Chapter 17.66 (hearing examiner recommendation).
6. Shoreline substantial development permits (hearing examiner decision).
7. Shoreline variances (hearing examiner decision).
8. Shoreline conditional use permits (hearing examiner decision).

D. The following are Type IV land use decisions:

1. Final plats in accordance with Chapter 16.20 (hearing examiner recommendation).

E. The following are Type V land use decisions:

1. Area-wide rezones in accordance with Chapter 17.66 (planning commission recommendation).
2. Establishment of overlay zones unless they are site-specific then they are processed as a Type III land use decision (planning commission recommendation).
3. Zoning text amendments in accordance with Section 17.66.030 (planning commission recommendation).
4. Comprehensive plan amendments (planning commission recommendation).
5. Annexations (city council).

SECTION 6. GMC Section 17.58.060, Legislative decisions, is hereby amended to read as follows:

17.58.060 Legislative decisions.

A. Decisions. The following decisions are legislative, and are not subject to the procedures in this chapter, unless otherwise specified:

1. Zoning code text and zoning district amendments;
2. Adoption of development regulations and amendments;
3. Area-wide rezones to implement new city policies;
4. Adoption of the comprehensive plan and any plan amendments; and

5. Annexations.

B. Planning Commission. The planning commission shall hold a public hearing and make recommendations to the city council on the decisions listed in subsection A of this section. The public hearing shall be held in accordance with the requirements of Sections 17.58.410 to 17.58.480.

C. City Council. The city council may consider the planning commission's recommendation in a public meeting held in accordance with the requirements of this chapter.

D. Hearing Examiner. The hearing examiner shall hold a public hearing and render a decision on the decisions listed in Section 17.58.040.

E. Public Notice. Notice of the public hearing shall be provided to the public as set forth in Section 17.58.210.

F. Implementation. The city council's decision shall become effective by passage of an ordinance.

SECTION 7. GMC Section 16.16.090, Appeals, is hereby amended to read as follows:

16.16.090 Appeals.

Any decision by administrator or subdivision review committee may be appealed in writing to the hearing examiner by the applicant or any interested party within ten days after notice of decision of the administrator or the subdivision committee. The hearing examiner shall act on appeal within thirty days after receipt of the notice of appeal and shall approve, conditionally approve or disapprove a short subdivision when not acted upon or denied by the administrator or the subdivision review committee within the time limits specified by GMC Section 16.16.070.

SECTION 8. GMC Section 16.16.100, Council action, is hereby amended to read as follows:

16.16.100 Council action.

Any decision by the hearing examiner relative to short subdivisions may be appealed to the council by the applicant or any interested party within ten days after notice of the decision by the hearing examiner. The council shall, at its next regular meeting, set a date for consideration of the appeal at a public meeting. In reviewing an appeal, the council shall consider all matters submitted by the administrator, the subdivision review committee and the hearing examiner, together with such other evidence as it deems relevant and shall either affirm or reverse the hearing examiner's decision.

SECTION 9. GMC Section 16.16.110, Design standards, is hereby amended to read as follows:

16.16.110 Design standards.

All short subdivisions shall conform to Chapter 16.24 GMC. The administrator, subdivision review committee or hearing examiner may impose the following requirements:

- A. Lots created by a short subdivision shall not be of a size which is out of character with recommendations of the comprehensive plan.
- B. Dedication of utility easements and right-of-way shall be by separate instruments prepared by the city attorney in favor of and accepted by the city and the county.
- C. Proof of adequate water supply and sewage disposal shall be provided for each lot or parcel.
- D. There shall be installed such street and sidewalk improvements, water, sewer, electrical and telephone, utility lines, street landscaping, fire hydrants and other improvements as are deemed necessary.
- E. A survey of all short subdivisions shall be conducted by or under the supervision of a registered land surveyor. The surveyor shall certify on the short plat that it is a true and correct representation of the lands actually surveyed. All surveys shall conform to standard practices and principles for land surveying.

SECTION 10. GMC Section 16.20.040, Review by planning commission, is hereby amended to read as follows:

16.20.040 Review by planning director.

Prior to submitting a preliminary plat and detailed design data the subdivider may request a general review of the proposed subdivision by the planning director in an effort to determine if there are any obvious changes the planning director feels are needed. Such request for a general review shall be made at least fifteen days before the public hearing before the hearing examiner at which the subdivision will be reviewed and not until after the subdivision review committee has reviewed and made its recommendations regarding the preliminary plat.

SECTION 11. GMC Section 16.20.050, Review criteria, is hereby amended to read as follows:

16.20.050 Review criteria

Full subdivisions shall be given preliminary approval by the administrator or hearing examiner upon finding that all the following have been satisfied:

A. The proposed subdivision conforms to:

1. Goldendale comprehensive plan;
2. Goldendale zoning code;
3. Engineering standards;
4. Critical area regulations; and
5. Other applicable policies or plans adopted by the city.

B. Availability of utilities and other public services necessary to serve the needs of the proposed subdivision.

C. Potential environmental impacts and proposed mitigation measures have been considered.

D. Approval of the proposed subdivision will serve the public's best interest and adequate provisions have been made to ensure public health, safety, and welfare.

E. A proposed subdivision may be denied due to flooding or inundation of the property. Where any portion of the proposed subdivision lies within the one-hundred-year floodplain as specified by Chapter 17.38 GMC, the hearing examiner shall not approve the preliminary plat unless it imposes a condition requiring the applicant to comply with the flood control ordinance.

SECTION 12. GMC Section 16.20.080, Preliminary plat approval, is hereby amended to read as follows:

16.20.080 Preliminary plat approval.

Approval of the preliminary plat shall constitute authorization for the subdivider to develop the subdivision's facilities and improvements in strict accordance with standards established by this title and any conditions imposed by the subdivision review committee or hearing examiner. This authorization shall not imply approval to convey lots.

SECTION 13. GMC Section 16.20.110, Final plat--Filing period, is hereby amended to read as follows:

16.20.110 Final plat--Filing period.

At any time within twelve months following hearing examiner approval of a preliminary plat the subdivider may cause the subdivision or any part thereof to be surveyed and a final plat to be prepared. The original and five copies shall be filed with the administrator. Any failure to record a final plat within the time limits specified in GMC Section 16.12.090 shall terminate all proceedings. The

final plat prepared in accordance with the provisions of this section and GMC Sections 16.20.130 through 16.20.160 shall be submitted to the administrator not less than five days prior to the date of the meeting at which the board will be requested to act thereon.

SECTION 14. GMC Section 16.24.190, Utility installation, is hereby amended to read as follows:

16.24.190 Utility installation.

Subdivisions shall provide underground utility lines, including but not limited to those for electricity, communications and street lighting. Where topography, soil or other conditions make underground installations impracticable and the council, upon recommendation from the hearing examiner, upon written evidence presented by the supplier of such utilities may waive this requirement for underground utilities.

SECTION 15. GMC Section 16.24.210, Watercourses, is hereby amended to read as follows:

16.24.210 Watercourses.

Where a subdivision is traversed by a watercourse, a drainage right-of-way conforming substantially to the line of such watercourse, drainage way, or stream will be maintained as determined by the city engineer and the hearing examiner.

SECTION 16. GMC Section 16.24.220, When required, is hereby amended to read as follows:

16.24.220 When required.

All subdivisions containing lots of less than one acre shall be required to provide water supplies for fire protection in addition to those water supplies required for domestic purposes. Water supplies for fire protection of lots over one acre in size may be required by the council upon recommendation of the hearing examiner or the responsible fire authority in the area concerned.

SECTION 17. GMC Chapter 16.32, Modifications and Appeals, is hereby amended to read as follows:

16.32.010 Appeals and variances.

Applicants may request a variance or appeal any decision to require further study under this chapter or subsequently adopted rules in writing to the hearing examiner within fourteen calendar days of the date a notice for a special study was mailed. Public notice shall be given in accordance with Section 16.08.250.

16.32.030 Hearing examiner action.

When necessary the hearing examiner may authorize variances to requirements of this title in order to preserve the public health, safety, and welfare. Conditions

necessary for this purpose shall be specified in granting the variance and the hearing examiner shall make a written record of its findings and facts in connection therewith and shall specifically and fully set forth the variance granted and the conditions designated.

A. Application for a variance shall be made by petition, stating fully the grounds of the application and the facts relied upon by the petitioner. The hearing examiner shall find that all of the following facts are met:

1. That there are special circumstances or conditions affecting the property that are not common to all other properties in the area;
2. That the variance is necessary for the preservation and enjoyment of substantial property rights enjoyed by the other properties in the same vicinity and that extraordinary hardship would result from strict compliance with these regulations because of the special circumstances or conditions affecting the property;
3. That the granting of a variance will not be detrimental to the public health, safety or welfare or injurious to other property in the vicinity of the property involved.

B. When variances are sought concerning the administration of requirements rather than restrictions on physical improvements or design the petitioner shall apply for a variance in the above manner but is not required to meet the requirements as set forth in subsection A of this section.

C. The hearing examiner may authorize a variance only after a public hearing on the variance application has been held by them

SECTION 18. GMC Section 16.36.010, General penalties, is hereby amended to read as follows:

16.36.010 General penalties.

Whenever any person, firm, or corporation at various and successive times, or any one time, has platted, subdivided, or divided into smaller parts, any parcel of land or property into two or more such lots, plots, tracts, or smaller parts, the area of each of which is five acres or less, for purposes of providing building sites, now, or at any time hence, held in one ownership, either by contract for purchase, by deed or by both, and after the time of the adoption of the ordinance codified herein, and has failed to comply with the provisions of this title, shall be punished as provided in Section 1.20.010; and whoever, being the owner or agent of the owner, of the land located within a plat or subdivision containing two or more such lots, plots, tracts, or smaller parts, transfers or sells, or agrees to sell, or option any land by reference to, or exhibition of or by any other use of a plat or map of a subdivision, before such plat or map has been approved by the city, and

before the same has been filed for record in the office of the county auditor, shall forfeit and pay a penalty of three hundred dollars for each lot, or parcel so transferred, or sold, or agreed or optioned to be sold, and the description of such lot by metes and bounds in the instrument of transfer, agreeing or optioning shall not exempt the transaction for such penalty. The city may initiate an action to enjoin such transfer, sale, agreement or option by making an application for an injunction in the superior court; or the city may recover said penalty for the city by a civil action in any court of competent jurisdiction, if, in the opinion of the city either of said actions is justifiable. Each day that the violation persists shall constitute a new and separate offense contrary to this title and punishable by a separate penalty.

SECTION 19. Chapter 17.60 GMC, Variances, is hereby amended to read as follows:

17.60.010 Authority.

A variance may be granted by the hearing examiner after a public hearing and review by the hearing examiner.

17.60.020 Application.

A written application for a variance from zoning ordinances and other land use ordinances or plans shall be submitted to the city for transmittal of the hearing examiner on forms prescribed by the city and shall include such information as requested thereon. No application shall be accepted unless it complies with such requirements. Public hearing requirements shall be processed in accordance with the terms of Section 16.08.250.

17.60.030 Approval or denial.

Subject to conditions and procedures provided by ordinance, the hearing examiner shall be empowered to hear and decide:

A. Applications for variances from the terms of the zoning ordinances, from the official zoning map, and from other land use ordinances prescribed by city ordinances, and no application for a variance shall be granted unless the hearing examiner finds:

1. That the variance shall not constitute a granting of special privilege inconsistent with limitations upon uses of other properties in the vicinity and zone in which the subject property is located; and
2. That such variance is necessary, because of special circumstances relating to size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located; and

3. That the granting of such variance will not be detrimental to the public welfare or injurious to property or improvements in the vicinity and zone in which the subject property is situated.

B. In deciding any of the matters referred to it, the hearing examiner shall issue a written report giving the reasons for his or her decision. The hearing examiner shall further make a finding that the reasons set forth in the application justify the granting of the variance and that the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.

17.60.040 Conditions of approval.

In approving any variance, the hearing examiner may impose reasonable conditions to ensure that the variance shall not be detrimental to the public welfare or injurious to property or improvements in the area.

17.60.050 Review and appeal of decisions.

The hearing examiner may review any interpretation of the zoning ordinance made by the building official and any decision or determination relating thereto, in applying specific provisions of the zoning ordinance to any parcel of land and/or structure. The hearing examiner may, after public hearing confirm or reverse the interpretation made by the building official and any decision or determination relating thereto; and the hearing examiner's decision shall be based upon the record and the findings in each case, and to that end it shall have all of the powers of the building official.

17.60.060 Appeal from decisions--Time limits.

Action by the hearing examiner on an application for a variance or an appeal from the decision of the building official shall be final.

17.60.070 Findings of fact.

In issuing an order, requirement, decision or determination, the hearing examiner shall make written findings of fact stating reasons upon which the action is based.

SECTION 20. GMC Chapter 17.62, Conditional Uses, is hereby amended to read as follows:

17.62.010 General provisions.

A. Conditional uses shall be permitted only upon the approval of the hearing examiner, after due notice and a public hearing held in accordance with Chapter 17.58, Administration of Development Regulations.

B. Permits for conditional uses shall be signed by the hearing examiner and shall stipulate conditions which may include time limits, provisions for front, side or rear yard requirements differing from the zoning ordinance, landscaping, off-street parking and any other conditions or safeguards that would uphold the spirit

and intent of the zoning ordinance and mitigate adverse effect upon neighboring properties.

C. The hearing examiner may require that the applicant for a conditional use provide the city with a performance bond to assure development of a conditional use with the restrictions and conditions specified by the hearing examiner on the conditional use permit.

D. A conditional use permit shall expire at the end of one year from the time it is granted if the permitted use is not substantially established at that time. Any conditional use permit, if granted, shall pertain only to the specific use and specific property of the applicant.

E. Any applicant desiring an amendment to an existing conditional use permit must comply with the procedures for approval as set forth in this title.

F. Any conditional property use shall meet the minimum dimensional standards of the zone in which it is to be located as well as the minimum conditions listed in this chapter and in this title.

17.62.020 Approval or denial.

The hearing examiner may approve a conditional use permit application only upon finding that:

- A. The proposal is compatible with the comprehensive plan;
- B. The proposal is compatible with the purpose and intent of the said zoning district;
- C. The proposal is compatible with the surrounding neighborhood;
- D. Traffic patterns are not severely impacted;
- E. Public facilities are available to serve the proposed development;
- F. The proposal has no detrimental effects on neighboring properties due to excessive noise, lighting or other interference with the said neighboring properties;
- G. The proposal has been designed to minimize adverse effects on neighboring properties;
- H. Landscaping materials are provided in sufficient quantities and locations to screen objectionable views, break up large parking areas, and present an aesthetically attractive appearance.

17.62.030 Appeal from hearing examiner decisions.

All appeals of any decision by the hearing examiner shall be made in accordance with Section 2.50.150.

SECTION 21. GMC Section 15.48.140, Variances procedure, is hereby amended to read as follows:

15.48.140 Variance procedure.

A. Appeal Board.

1. The hearing examiner shall hear and decide appeals and requests for variances from the requirements of this chapter.
2. The hearing examiner shall hear and decide appeals when it is alleged there is an error in any requirement, decision or determination made by the city administrator or his designee in the enforcement or administration of this chapter.
3. Those aggrieved by the decision of the hearing examiner, or any taxpayer, may appeal such decision to the city council, as provided in Chapter 17.60.
4. In passing upon such applications, the hearing examiner shall consider all technical evaluations, all relevant factors, standards specified in other sections of this chapter, and:
 - a. The danger that materials may be swept onto other lands to the injury of others;
 - b. The danger to life and property due to flooding or erosion damage;
 - c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - d. The importance of the services provided by the proposed facility to the community;
 - e. The necessity to the facility of a waterfront location, where applicable;
 - f. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;

- g. The compatibility of the proposed use with existing and anticipated development;
- h. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
- i. The safety of access to the property in times of flood for ordinary and emergency vehicles;
- j. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
- k. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities, such as sewer, gas, electrical, and water systems, and streets and bridges.

5. Upon consideration of the factors of subsection (A)(4) of this section and the purposes of this chapter, the hearing examiner may attach such conditions to the granting of variances as it deems necessary to further the purposes of this chapter.

6. The city shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.

B. Conditions for Variances.

1. Generally, the only condition under which a variance from the elevation standard may be issued is for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items in subsections (A)(4)(a) through (A)(4)(k) of this section have been fully considered. As the lot size increases, the technical justification required for issuing the variance increases.

2. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the state inventory of historic places, without regard to the procedures as set forth in this section.

3. Variances shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.

4. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

5. Variances shall only be issued upon:

- a. A showing of good and sufficient cause;
- b. A determination that failure to grant the variance would result in exceptional hardship to the applicant;
- c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in subsections (A)(4)(a) through (A)(4)(k) of this section, or conflict with existing local laws or ordinances.

6. Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from the flood elevations should be quite rare.

7. Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry-floodproofing, where it can be determined that such action will have low damage potential, complies with all other variance criteria except subsection (B)(1) of this section, and otherwise complies with Sections 15.48.150 (A) and (B).

8. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

SECTION 22. GMC Section 18.08.140, Variances, is hereby amended to read as follows:

18.08.140 Variances

A. Variances to reduce the prescribed habitat buffers for wetlands and/or fish and wildlife habitat conservation areas may be considered. Variances may not be

used to reduce the prescribed water quality buffers for wetlands and/or fish and wildlife habitat conservation areas.

1. Applicability. An applicant may seek a variance from habitat buffer standards for wetlands or fish and wildlife habitat conservation areas, where application of the standards renders compliance with these provisions an unnecessary hardship. A variance is authorized primarily for relief from wetland and stream habitat buffer averaging. A variance will not be allowed for reduction of the water quality buffers. Alterations specific to wetlands and streams and their water quality buffers are processed pursuant to a reasonable use exception.

2. A variance may be granted when it can be shown that the application meets all of the following criteria:

- a. Special circumstances applicable to the subject property, including size, shape or topography, and the strict application of this chapter is found to deprive the subject property of rights and privileges enjoyed by other properties in the vicinity; and
- b. The special circumstances referred to in subsection (A)(2)(a) of this section are not the result of the actions of the current or previous owner; and
- c. The granting of the variance will not result in substantial detrimental impact to the critical area, public welfare or be injurious to the property or improvements in the vicinity and area in which the property is situated; and
- d. The granting of the variance is the minimum necessary to accommodate the permitted use; and
- e. No other practicable or reasonable alternative exists; and
- f. A mitigation plan has been submitted and is approved for the proposed use of the critical area; and
- g. If structures are the approved use for which the variance is applied, the structures shall be no greater than the minimum size necessary to accommodate the permitted use; and
- h. Retention of existing native or equivalent vegetation in other portions of the site is provided in order to offset habitat loss from buffer reduction; and

i. A habitat management plan has been prepared, unless it is determined through the applicable review process that such a plan is unnecessary.

B. Requests for variances shall include the application requirements and payment of a prescribed application fee.

C. The city shall administratively review variances based on the criteria and standards referenced in this section.

D. The city may grant a variance from the substantive or procedural requirements of this chapter for the development of public utilities when:

1. The application of the requirements of this chapter would be inconsistent with the comprehensive plan or the city's public service obligations; and

2. The proposed utility activity does not pose an unreasonable threat to the public health, safety or welfare on or off the development proposal site; and

3. Any alterations to critical areas and buffers are the minimum necessary to reasonably accommodate the proposed utility activity and any impacts are mitigated.

E. Reasonable Economic Use Variance.

1. Generally. If the application of this chapter would deny all reasonable economic use of the subject property, the property owner, upon a denial of a permit due to the requirements of this chapter, may apply for a reasonable economic use variance.

2. Burden of Proof. The property owner and/or applicant for a reasonable economic use variance shall bear the burden of proving that the property is deprived of all reasonable economic use.

3. Hearing Examiner Process. The hearing examiner shall conduct a public hearing on the variance request. All decisions of the hearing examiner shall be final and conclusive. Public notice shall be provided as follows:

a. The city shall arrange for at least one publication of the notice of hearing to appear in a newspaper of general circulation within the county at least ten calendar days before the hearing. Payment of all publication fees shall be the responsibility of the applicant.

b. The city shall send notice to adjacent land owners advising them of the hearing. The notice shall be mailed to the owners of record of all property situated within three hundred feet of the property at issue, at least ten calendar days before the public hearing. Names and addresses of adjacent property owners shall be provided to the city by the applicant, subject to the city approval.

c. All hearing notices shall include a legal description of the property involved, and a concise description of the variance requested in lay language.

4. Hearing Examiner Required Findings. A reasonable economic use variance may be granted only when the hearing examiner finds that the application meets all of the following criteria:

a. No reasonable economic use with less impact on the critical area or its buffer is possible.

b. There is no feasible on-site alternative to the proposed activities that would allow a reasonable economic use with less adverse impacts to critical areas or associated buffers. Feasible on-site alternatives shall include, but are not limited to:

i. Reduction in density, scope, scale, or intensity;

ii. Phasing of project implementation;

iii. Change in timing or activities; and

iv. Revision of road and parcel layout or related site planning considerations.

c. The proposed variance will result in the minimum feasible alteration or impairment to the critical area functional characteristics and existing contours, vegetation, fish and wildlife resources, and hydrological conditions.

d. Disturbance of critical areas has been minimized by locating any necessary alteration in critical area buffers to the minimum extent possible.

e. The proposed variance will not cause degradation to surface or groundwater quality.

f. The proposed variance complies with all federal, state, and local statutory and common law, including the Endangered Species

Act, and statutory laws related to sediment control, pollution control, floodplain restrictions, and on-site wastewater disposal, and common law relating to property and nuisance.

g. There will be no material damage to nearby public or private property and no material threat to the health and safety of people on or off the property.

h. The inability to derive reasonable economic use of the property is not the result of actions by the applicant in segregating or dividing the property and creating the undevelopable condition after the effective date of the regulations codified in this chapter.

5. Conditions.

a. In granting approval for reasonable economic use variances, the hearing examiner may require mitigating conditions.

b. In granting approval for reasonable economic use variance involving designated wetlands, the hearing examiner shall consider the following mitigating conditions:

i. Provisions of a mitigation plan demonstrating how the applicant intends to substantially restore the site to predevelopment conditions following project completion; and

ii. The restoration, creation or enhancement of wetlands and their buffers in order to offset the impacts resulting from the applicant's actions; the overall goal of any restoration, creation or enhancement project shall be no net loss of wetlands function and acreage.

6. Performance Bond. The city administrator may require a performance bond of one hundred twenty percent of the cost of the outstanding work items to be accomplished.

F. Pilot Projects. The city council may, by resolution, establish a site-specific pilot project in partnership with an applicant that encourages the applicant to undertake creative, nonstandard efforts that were not envisioned during the development of this chapter, but through which a greater conservation of critical areas will be achieved; provided, that such project will satisfy the intent of this chapter.

SECTION 23. GMC Chapter 17.66, Amendments, is hereby amended to read as follows:

17.66.010 Criteria for amendments.

The hearing examiner and city council shall be guided by the following criteria in granting requests for amendments to the official zoning map of this title:

- A. Any change in zoning shall conform with comprehensive plan, provisions of this title, and shall be in the public's best interest;
- B. Any change in zoning shall be supported by a site plan showing the proposed development and its relationship to surrounding uses;
- C. When a change in zoning is not in agreement with the comprehensive plan, the applicant shall provide evidence to the city council's satisfaction that there is an additional need for the requested land use district.

17.66.020 Map changes.

The council may, upon submittal of a complete application and upon recommendation from the hearing examiner, or on its own motion, and after public hearing and referral to and report from the hearing examiner, change by ordinance the district boundary lines or zone classification as shown on the zoning map, provided such change is duly considered in relationship to a comprehensive plan as required by the laws of the state.

17.66.030 Text changes.

The council may, upon recommendation of the planning commission, or upon its own motion, after public hearing and referral to and report from the planning commission, amend, delete, supplement, or change by ordinance the regulations herein established, provided such revision conforms to the laws of the state.

17.66.040 Application procedure.

An application for a change of zone classification or district boundary lines submitted by the property owner, or his authorized representative, shall be filed with the zoning administrator. The petition shall be accompanied by a check made payable to the city in the sum of one hundred dollars which shall be nonrefundable and used to cover costs incurred in connection with posting of the premises, mailing of notices and conducting the hearing as provided in this title.

SECTION 24. GMC Section 18.08.060, Appeals, is hereby amended to read as follows:

18.08.060 Appeals.

- A. If a critical areas review is associated with a city permit, any appeal issues associated with critical areas review must be incorporated into a timely appeal of that permit, in accordance with the administrative appeal remedies available through the city municipal code.

B. If critical areas review is not associated with another city permit, then appeals of the final review decision may be filed by the applicant with the hearing examiner within fourteen calendar days of the date a final decision on critical areas code compliance is issued.

SECTION 25. GMC Section 17.30.040, Review by planning commission, is hereby amended to read as follows:

17.30.040 Review City Administrator and/ or City Planner.

Prior to submitting a preliminary plat and detailed design data the subdivider may request a general review of the proposed subdivision by the city administrator and /or city planner in an effort to determine if there are any obvious changes the city feels are needed. Such a request for a general review shall be made after the subdivision review committee has reviewed and made its recommendations regarding the preliminary plat.

SECTION 26. GMC Section 17.30.090, Review by planning commission, is hereby amended to read as follows:

17.30.090 Preliminary site plan approval.

The applicant shall submit a preliminary site plan to the city planner with submission of a change in zoning application. A list of the names, mailing addresses, and individual property legal descriptions of all property owners within the proposed planned unit development and the surrounding property owners within three hundred feet of the proposed planned unit development shall be on file with the city before staff study of a preliminary development plan shall be commenced. Any preliminary development plan shall include the following information presented in a general, schematic fashion.

A. A site plan showing: land uses including landscaping, parks, playgrounds, and other open spaces, lots, partition lines or other land divisions, building locations, common areas and facilities, circulation patterns, landscaping plans, setbacks, distance to property lines, and land use relationships;

B. Preliminary building plans, including floor plans and exterior elevations;

C. Engineering plans, including site grading, elevation and perspective drawings, street improvements, parking, drainage, and public utility extensions, as necessary;

D. A copy of all protective codes, covenants, restrictions and/or articles assuring continuous maintenance of open space, common areas and/or shared facilities, transportation corridors, utility easements;

E. A development schedule indicating approximate beginning date for the project, stages and timeline for project development, anticipated rate of

development and approximate completion date for each stage and final project completion date;

F. Delineation of the units to be constructed in progression, if applicable;

G. A market analysis of proposed commercial uses, if the property is not zoned for commercial purposes at the time of the submittal of the preliminary development plan;

H. An environmental assessment statement; provided, that the city will not be precluded from requiring a detailed statement prepared pursuant to RCW 43.21C.020(2)(c) and Chapter 197-10 WAC;

I. Relation to future land use in the surrounding area;

J. A written statement which is part of the preliminary development plan and shall contain: a statement of proposed financing; statement of present ownership; and approximate expected schedule of development; and

K. Preliminary approval of the site plan shall be binding on both the city and the applicant.

SECTION 27. GMC Section 17.30.100, Site plan and schedule approval, is hereby amended to read as follows:

17.30.100 Site plan and schedule approval.

Together with the application for rezoning classification, the applicant shall submit the following documents and supporting evidence:

A. A reproducible map with ten prints of a site plan which shall be in conformance with the approved preliminary site plan and which shall include a survey of the property showing existing features of the property which are to be incorporated into the proposed development, including specimen trees, structures, streets, topography, easements, utility lines, and proposed land use including location and proposed density of dwelling units; and nonresidential building intensity. The following signature blocks and statements are to be placed upon the face of the map or succeeding page thereof:

1. A signature block for the city council to certify approval of the site plan.
2. A signature block for the applicant(s) binding the applicant(s) to the conditions and regulations proposed and which will be controlling within the planned unit development.

3. A statement that the land shall not be further divided nor shall uses be allowed other than those designated on the map without rezoning and replating the property in accordance with state and county laws.

B. A schedule for the development of units to be constructed in progression and description of the design principles for buildings and streetscapes; tabulation of total number of dwelling units proposed by type of dwelling for each unit of the planned unit development; estimated residential population by type of dwelling for each unit of the planned unit development; proposed retail sales area and economic justification; anticipated timing for each unit; and standards for height, open space, building intensity, population density, and public improvements proposed for each unit of development.

C. Engineering feasibility information is deemed necessary.

D. Such other detailed information deemed necessary by staff or the hearing examiner. Applications shall not be accepted and considered filed until all of said documents and supporting evidence has been submitted to the administrator.

SECTION 28. GMC Section 17.30.110, Final approval, is hereby amended to read as follows:

7.30.110 Final approval.

The final development plan shall be submitted to the hearing examiner within three years from the date of approval of the preliminary development plan. The hearing examiner may extend for up to two years the period for filing of the final development plan. Planned unit development plans shall be concerned with information necessary for evaluation, but not necessarily limited to, the following:

A. A binding site plan prepared in accordance with the requirements of Title 16, Subdivisions, showing individual lots;

B. Compliance with Section 17.30.090, Preliminary site plan approval;

C. Completion of roads, utilities, landscaping, etc., or performance bonding sufficient to ensure completion of project development; and

D. Other information necessary for project evaluation, as required by the planning staff or the hearing examiner, including proposed use and occupancy, type of construction, building height and coverage, and proposed distances between structures and property lines. Minor changes to an approved planned unit development pertaining to siting may be approved with the intent expressed in the general development plan. Approval of a planned unit development will not be considered until all of the said documents have been submitted to the director of planning and an approved mylar of the planned unit development has been filed with the city clerk-treasurer.

SECTION 29. GMC Section 17.30.120, Findings required, is hereby amended to read as follows:

17.30.120 Findings required.

The hearing examiner, after public hearing, may recommend the establishment of a planned unit development, and the city council may by ordinance establish a planned unit development provided it finds that the facts submitted with the application and presented at the hearing establish that:

- A. The proposed planned unit development, or given unit thereof, can be substantially completed within four years of the establishment of the planned unit development;
- B. That each individual unit of development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability or that adequate assurance will be provided that such objective will be attained; that the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under other zoning districts;
- C. That the streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic, and increased densities will not generate traffic in such amounts as to overload the street network outside the planned unit development;
- D. That any proposed commercial development can be justified economically at the locations to provide for adequate commercial facilities of the types proposed;
- E. That any exception from standard ordinance requirements is warranted by the design and amenities incorporated in the site plan, in accordance with adopted policy of the city council;
- F. That the area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development;
- G. That the planned unit development is in conformance with the comprehensive plan of Goldendale;
- H. That utility services are adequate for the population densities proposed; and
- I. That said development will not cause substantial or unjustifiable detrimental effects on the environment.

The hearing examiner and council shall approve site plans for this zone district only after review and comment by the administrator, city engineer, public health officer and other agencies of concern. The property shall be developed in

accordance with the approved site plan and other applicable city ordinances. Further development beyond that allowed by the underlying zone shall not be allowed unless the underlying zoning changes to permit increased density.

SECTION 30. GMC Section 17.30.130, Hearing Examiner and city council, is hereby amended to read as follows:

7.30.130 Hearing examiner and city council.

A. If, from the facts presented, the hearing examiner or the city council is unable to make the necessary findings, the application shall be denied.

B. In taking action, the hearing examiner may deny the site development plan and development schedule as submitted or may recommend approval of said plan and schedule subject to specified amendments or conditions.

C. Major changes in a site development plan shall be considered the same as a change in the zoning map and shall be made in accordance with the provisions of this title.

D. If no development has occurred to effectuate a planned unit development within three years after the district is created, the planned unit development shall revert back to the underlying zoning district.

E. At the time of adopting any ordinance establishing a planned unit development, the city council shall make appropriate arrangements with the applicant, which will ensure the accomplishment at the scheduled times, of the public improvements and grants of easement shown on the approved general development plan.

SECTION 31. GMC Section 17.30.140, Other requirements, is hereby amended to read as follows:

17.30.140 Other requirements.

Underground utilities, including telephone and electric systems, are required within the limits of all planned unit developments. Appurtenance to these systems which may be effectively screened may be exempted from this requirement if the hearing examiner finds that such exemption will not violate the intent or character of the proposed planned unit development.

SECTION 32. Except as amended herein, each and every other provision of the Goldendale Municipal Code remains unchanged.

SECTION 33. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person, entity, or circumstances, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-

emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

SECTION 34. This Ordinance shall take force and be in effect five (5) days from and after its passage, approval, and publication according to law, subject to the provisions of Section 4 herein in the event of the filing of a referendum.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF GOLDENDALE, WASHINGTON THIS 7th DAY OF APRIL 2025.

Dave Jones
Mayor

ATTEST:

Shelly Enderby
Clerk-Treasurer

APPROVED AS TO FORM:



CITY ATTORNEY

PUBLICATION:
EFFECTIVE:

AGENDA BILL: J2

AGENDA TITLE: ORDINANCE NO 1545 – AMENDING WATER
ORDINANCE CHAPTER 13.04

DATE: APRIL 7, 2025

ACTION REQUIRED:

ORDINANCE X COUNCIL INFORMATION

RESOLUTION OTHER

MOTION X

EXPLANATION:

The City of Goldendale staff has identified certain errors in Chapter 13.04 of the Goldendale Municipal Code and desires to correct the errors.

FISCAL IMPACT:

ALTERNATIVES:

STAFF RECOMMENDATION:

MOTION:

**I MOVE TO ACCEPT ORDINANCE NO 1545 AMENDING AND CORRECTING
CHAPTER 13.04, WATER SUPPLY SYSTEM OF THE GOLDENDALE MUNICIPAL
CODE FOR IT'S 1ST READING.**

**(OPTION – YOU CAN WAIVE THE 2ND READING IF YOU ARE READY TO
APPROVE IT)**

ORDINANCE NO. 1545

**AN ORDINANCE OF THE CITY OF GOLDENDALE,
WASHINGTON AMENDING AND CORRECTING
CHAPTER 13.04, WATER SUPPLY SYSTEM, OF THE
GOLDENDALE MUNICIPAL CODE**

WHEREAS, the City of Goldendale has identified certain errors in Chapter 13.04 of the Goldendale Municipal Code and desires to correct same;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GOLDENDALE,
WASHINGTON DO ORDAIN AS FOLLOWS:**

Section 1. Goldendale Municipal Code Section 13.04.050, Meter Rates, which currently reads as follows:

13.04.050 Meter

The following monthly base meter rates shall be charged as follows:

A. Monthly Base Meter Charge.

Water Rates Inside City Limits Base Meter Charge Effective as of the beginning of the year					
Meter Size	Year 2024	Year 2025	Year 2026	Year 2027	Year 2028
3/4"	\$41.36	\$45.50	\$50.05	\$52.55	\$54.39
1"	\$69.08	\$75.99	\$83.59	\$87.77	\$90.84
1 1/2"	\$138.15	\$151.96	\$167.16	\$175.52	\$181.66
2"	\$222.64	\$244.90	\$269.39	\$282.86	\$292.76
3"	\$484.08	\$532.48	\$585.73	\$615.02	\$636.55
4"	\$934.29	\$1,027.71	\$1,130.48	\$1,187.01	\$1,228.55
6"	\$1,382.74	\$1,521.02	\$1,673.12	\$1,756.78	\$1,818.26
8"	\$2,846.82	\$3,131.50	\$3,444.65	\$3,616.89	\$3,743.48

Water Rates Outside City Limits Base Meter Charge Effective as of the beginning of the year					
Meter Size	Year 2024	Year 2025	Year 2026	Year 2027	Year 2028
3/4"	\$62.04	\$68.24	\$75.07	\$78.82	\$81.58
1"	\$103.62	\$113.98	\$125.38	\$131.65	\$136.26
1 1/2"	\$207.23	\$227.95	\$250.75	\$263.28	\$272.50
2"	\$333.96	\$367.36	\$404.09	\$424.30	\$439.15
3"	\$726.11	\$798.72	\$878.59	\$922.52	\$954.81
4"	\$1,401.43	\$1,541.58	\$1,695.73	\$1,780.52	\$1,842.84
6"	\$2,074.12	\$2,281.53	\$2,509.68	\$2,635.16	\$2,727.40
8"	\$4,270.24	\$4,697.27	\$5,167.00	\$5,425.35	\$5,615.23

Starting on January 1st of the year 2029, and every year thereafter, a two and one-half percent annual increase shall be imposed on fees and fee schedules within this chapter.

B. Monthly Water Usage Schedule for Water Usage of All Types and Locations. The rates shown below are per one hundred cubic feet (c.f.) or fraction thereof for any water usage.

Water Usage Demand Charges Effective as of the beginning of the year					
Demand Rate	Year 2024	Year 2025	Year 2026	Year 2027	Year 2028
0 to 750 c.f.	\$1.05	\$1.15	\$1.26	\$1.33	\$1.37
751 to 1,500 c.f.	\$1.21	\$1.33	\$1.46	\$1.54	\$1.59
1,501 to 3,000 c.f.	\$1.38	\$1.51	\$1.66	\$1.75	\$1.81
3,001 to 5,000 c.f.	\$1.82	\$2.00	\$2.20	\$2.31	\$2.39
5,000 to 8,000 c.f.	\$2.15	\$2.36	\$2.60	\$2.73	\$2.82
Over 8,000 c.f.	\$2.42	\$2.66	\$2.93	\$3.07	\$3.18

C. During the period of November 15th through March 15th, customers will be billed the monthly base meter charge as set forth above and water use based on historical usage. The March billing will correct any disparity between historical and actual usage for the months described above.

D. Demand Charges.

1. Bulk water will be charged at the rate of four cents per gallon undelivered.
2. Where unusual circumstances prevent a meter reading, water consumption will be estimated.

E. Leakage-Rate Reduction.

1. To be eligible for leakage-rate reduction, a leak located on the property owner's side of the water meter must be repaired within seven days from discovery or notification. Water service will be discontinued upon failure to repair the leak within seven days or in a time period agreed to by the city public works director or his/her designee.
2. After the service line is repaired by the owner and upon written request by the property owner, the city clerk-treasurer will make an adjustment to the water bill.
3. The adjustment shall be two-thirds of that portion of the customer's water bill which is over the historical water usage. The adjustment shall be limited to the period of ninety days prior to the repair of the leak and inspection thereof.
4. Only one leakage adjustment will be allowed in any two-year period. Additional leaks will require on-site inspection and verification or repairs.
5. Any decision made by the city clerk-treasurer regarding leakage-rate reductions may be appealed to the city council. Such appeals shall be made within ten days of the date that the person making the appeal was notified of the decision from which the appeal is requested.

IS HEREBY AMENDED TO READ AS FOLLOWS:

13.04.050 Meter

The following monthly base meter rates shall be charged as follows:

A. Monthly Base Meter Charge.

Water Rates Inside City Limits Base Meter Charge Effective as of the beginning of the year					
Meter Size	Year 2024	Year 2025	Year 2026	Year 2027	Year 2028
3/4"	\$41.36	\$45.50	\$50.05	\$52.55	\$54.39
1"	\$69.08	\$75.99	\$83.59	\$87.77	\$90.84
1 1/2"	\$138.15	\$151.96	\$167.16	\$175.52	\$181.66
2"	\$222.64	\$244.90	\$269.39	\$282.86	\$292.76
3"	\$484.08	\$532.48	\$585.73	\$615.02	\$636.55
4"	\$934.29	\$1,027.71	\$1,130.48	\$1,187.01	\$1,228.55
6"	\$1,382.74	\$1,521.02	\$1,673.12	\$1,756.78	\$1,818.26
8"	\$2,846.82	\$3,131.50	\$3,444.65	\$3,616.89	\$3,743.48

Water Rates Outside City Limits Base Meter Charge Effective as of the beginning of the year					
Meter Size	Year 2024	Year 2025	Year 2026	Year 2027	Year 2028
3/4"	\$62.04	\$68.24	\$75.07	\$78.82	\$81.58
1"	\$103.62	\$113.98	\$125.38	\$131.65	\$136.26
1 1/2"	\$207.23	\$227.95	\$250.75	\$263.28	\$272.50
2"	\$333.96	\$367.36	\$404.09	\$424.30	\$439.15
3"	\$726.11	\$798.72	\$878.59	\$922.52	\$954.81
4"	\$1,401.43	\$1,541.58	\$1,695.73	\$1,780.52	\$1,842.84
6"	\$2,074.12	\$2,281.53	\$2,509.68	\$2,635.16	\$2,727.40
8"	\$4,270.24	\$4,697.27	\$5,167.00	\$5,425.35	\$5,615.23

Starting on January 1st of the year 2029, and every year thereafter, a two and one-half percent annual increase shall be imposed on fees and fee schedules within this chapter.

B. Monthly Water Usage Schedule for Water Usage of All Types and Locations. The rates shown below are per one hundred cubic feet (c.f.) or fraction thereof for any water usage.

Water Usage Demand Charges Effective as of the beginning of the year					
Demand Rate	Year 2024	Year 2025	Year 2026	Year 2027	Year 2028
0 to 750 c.f.	\$1.05	\$1.15	\$1.26	\$1.33	\$1.37
751 to 1,500 c.f.	\$1.21	\$1.33	\$1.46	\$1.54	\$1.59
1,501 to 3,000 c.f.	\$1.38	\$1.51	\$1.66	\$1.75	\$1.81
3,001 to 5,000 c.f.	\$1.82	\$2.00	\$2.20	\$2.31	\$2.39
5,000 to 8,000 c.f.	\$2.15	\$2.36	\$2.60	\$2.73	\$2.82
Over 8,000 c.f.	\$2.42	\$2.66	\$2.93	\$3.07	\$3.18

C. Demand Charges.

1. Bulk water will be charged at the rate on the chart below per gallon undelivered.

<u>Demand Rate</u>	Year 2024	Year 2025	Year 2026	Year 2027	Year 2028
<u>Cents</u>	.04	.05	.06	.07	.08

D. Leakage-Rate Reduction.

1. To be eligible for leakage-rate reduction, a leak located on the property owner's side of the water meter must be repaired within seven days from discovery or notification. Water service will be discontinued upon failure to repair the leak within seven days or in a time period agreed to by the city public works director or his/her designee.
2. After the service line is repaired by the owner and upon written request by the property owner, the city clerk-treasurer will make an adjustment to the water bill.

3. The adjustment shall be two-thirds of that portion of the customer's water bill which is over the historical water usage. The adjustment shall be limited to the period of ninety days prior to the repair of the leak and inspection thereof.
4. Only one leakage adjustment will be allowed in any two-year period. Additional leaks will require on-site inspection and verification or repairs.
5. Any decision made by the city clerk-treasurer regarding leakage-rate reductions may be appealed to the city council. Such appeals shall be made within ten days of the date that the person making the appeal was notified of the decision from which the appeal is requested.

Section 2. Goldendale Municipal Code Section 13.04.080, Notice of delinquent account, which currently reads as follows:

13.04.080 Notice of delinquent account.

- A. All utility bills of the city shall be delinquent if payment therefor is not received by the city on or before the twenty-fifth day of each even-numbered month after the current charges are posted on the bill. Such current charges' date shall be stated on the bill with particularity.
- B. Upon lapse of a bill into delinquency, the billing clerk, or his designee, shall as soon as practicable cause a notice of delinquent account to be deposited in the United States mail, addressed to the owner of the property which is delinquent.
- C. Deposit in the United States mail pursuant to subsection B of this section shall be deemed full and complete notice to the owner and consumer of the nature and amount of any particular utility billing.
- D. The notice of delinquent account shall state that unless all delinquencies are corrected within ten days of the date of the notice of delinquent account, the city will disconnect or discontinue utility service without further notice or after a date certain to be stated in the notice of delinquent account. The notice of delinquent account shall further state that, if the customer has questions concerning the account or disputes the amount of the account, he may appeal to the clerk-treasurer, or his authorized designee, whose address and telephone number shall be stated on the notice of delinquent account.
- E. Upon request the clerk-treasurer or designee shall be allowed to work out delinquent account payment arrangements or adjustments, including water/sewer charges, the delinquent penalty charge pursuant to subsection F of this section, and turn-on charges pursuant to Section 13.04.070(A). One delinquency balance arrangement will be allowed in any one-year period. Customers will be allowed to carry a balance of twenty-five dollars or less without penalty.

F. An account which has become delinquent may be assessed with a penalty of ten dollars.

IS HEREBY AMENDED TO READ AS FOLLOWS:

13.04.080 Notice of delinquent account.

A. All utility bills of the city shall be delinquent if payment therefor is not received by the city on or before the twenty-fifth day of each month after the current charges are posted on the bill. Such current charges' date shall be stated on the bill with particularity.

B. Upon lapse of a bill into delinquency, the billing clerk, or his designee, shall as soon as practicable cause a notice of delinquent account to be deposited in the United States mail, addressed to the owner of the property which is delinquent.

C. Deposit in the United States mail pursuant to subsection B of this section shall be deemed full and complete notice to the owner and consumer of the nature and amount of any particular utility billing.

D. The notice of delinquent account shall state that unless all delinquencies are corrected within ten days of the date of the notice of delinquent account, the city will disconnect or discontinue utility service without further notice or after a date certain to be stated in the notice of delinquent account. The notice of delinquent account shall further state that, if the customer has questions concerning the account or disputes the amount of the account, he may appeal to the clerk-treasurer, or his authorized designee, whose address and telephone number shall be stated on the notice of delinquent account.

E. Upon request the clerk-treasurer or designee shall be allowed to work out delinquent account payment arrangements or adjustments, including water/sewer charges, the delinquent penalty charge pursuant to subsection F of this section, and turn-on charges pursuant to Section 13.04.070(A). Customers will be allowed to carry a balance of twenty-five dollars or less without penalty.

F. An account which has become delinquent may be assessed with a penalty of ten dollars.

Section 3. Except as amended herein, Chapter 13.04 of the Goldendale Municipal Code is affirmed and unchanged.

Section 4. The provisions of this Ordinance are subject to the following referendum procedures:

Section 5. This Ordinance shall take force and be in effect five (5) days from and after its passage, approval, and publication according to law, subject to the provisions of Section 4 herein in the event of the filing of a referendum.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
GOLDENDALE, WASHINGTON THIS 7TH DAY OF APRIL 2025.**

Dave Jones
Mayor

ATTEST:

Shelly Enderby
Clerk-Treasurer

APPROVED AS TO FORM:

CITY ATTORNEY

PUBLICATION:
EFFECTIVE:

Chapter 13.04 WATER SUPPLY SYSTEM

Sections:

ARTICLE I. CHARGES

[13.04.010 Connection requirements.](#)
[13.04.015 Domestic use wells prohibited.](#)
[13.04.020 Water service system development charge.](#)
[13.04.025 Special connection charge.](#)
[13.04.030 Meter--Installation requirements.](#)
[13.04.035 Meter--Installation expense.](#)
[13.04.040 Monthly base meter charge.](#)
[13.04.045 Account names.](#)
[13.04.050 Meter rates.](#)
[13.04.055 Multiple user service charge--Applicability.](#)
[13.04.060 Multiple user service charge--Inside city limits.](#)
[13.04.065 Multiple user service charge--Outside city limits.](#)
[13.04.070 Turn on charge.](#)
[13.04.080 Notice of delinquent account.](#)
[13.04.090 Disconnection of utility service.](#)
[13.04.100 Delinquent charge--Lien.](#)
[13.04.110 Tap--Pipe connections.](#)
[13.04.120 Shut-off--Turn-on order.](#)
[13.04.130 Water user information.](#)
[13.04.140 Rate--Regulation applicability.](#)
[13.04.150 Rate change.](#)
[13.04.160 Irrigation--Permit required.](#)
[13.04.161 Irrigation--City parks rate charge.](#)
[13.04.170 Pipeline tapping--Permit.](#)
[13.04.180 Charges--Violation--Penalty.](#)

ARTICLE II. BACKFLOW PREVENTION--CROSS-CONNECTIONS

[13.04.190 Definition of cross-connection.](#)
[13.04.200 Control or elimination of cross-connections.](#)
[13.04.210 Compliance failure.](#)
[13.04.220 Installation of backflow devices.](#)
[13.04.225 Definition of approved backflow prevention assembly.](#)
[13.04.230 Exemptions.](#)
[13.04.240 Inspection, approval and disapproval of backflow prevention assemblies.](#)
[13.04.250 Right to inspect backflow devices.](#)
[13.04.260 Permit for installation of irrigation systems and backflow devices.](#)
[13.04.270 Application required even though building codes do not require.](#)
[13.04.280 Prohibition of interconnection of private water supplies with the city's distribution system.](#)
[13.04.290 Cost of compliance.](#)
[13.04.300 Termination of service.](#)
[13.04.305 Permits.](#)
[13.04.310 Testing.](#)

ARTICLE III. WATER USE

13.04.320 Regulations--Irrigation districts.

13.04.370 Regulation publication.

13.04.380 Trough--Receptacle.

13.04.390 Violation--Penalty.

ARTICLE IV. CHARGES

13.04.010 Connection requirements.

A. All dwelling units or other buildings within the city limits which need or require potable water shall be required to connect to the public water system of the city where there is adequate public water by the city, subject to subsection B of this section. This requirement may be waived if the city administrator, with the consent of the city council, and health officer, determines that such a connection is not feasible. All property owners thereof shall make proper connections with the public water system and use the same for proper purposes. In case the owners of such property fail to make such connections, the city may cause such connections to be made and assess the costs and expenses thereof against the property served thereby.

B. This requirement shall not apply to those dwelling units or other buildings currently connected to a water well; provided, that the water well is legally existing and meets department of health rules and regulations. The owner of the subject water well must install a reduced pressure backflow assembly or disconnect the water well system from the public water supply.

C. For connections outside the city limits, permission from the city council is required to obtain a connection permit.

13.04.015 Domestic use of wells prohibited.

It is unlawful for any person, firm, or corporation from and after May 1, 2006, to drill or construct any domestic water well within the city limits. "Domestic use wells" used in this section is as defined by RCW [90.44.050](#).

13.04.020 Water service system development charge.

From and after January 1, 2024, all new, disconnected, or discontinued water service connections inside the city shall be charged as follows according to the corresponding water meter size:

Meter Size	Inside City	Outside City
3/4 "	\$3,000	\$6,000
1"	\$4,500	\$9,000
1 1/2 "	\$6,000	\$12,000
2"	\$9,000	\$15,000
3"	\$12,000	\$24,000
4"	\$18,000	\$36,000

6"	\$36,000	\$72,000
8"	\$54,000	\$108,000

13.04.025 Special connection charge.

A. Imposed.

1. In addition to water line connection permit fees required by ordinance, there is imposed upon the owners of properties which have not been assessed or charged or borne an equitable share of the cost of the city's water system and they shall pay prior to connection to a city water line, a special connection charge in an amount to be computed under subsection B of this section.

2. The special connection charge shall be paid in cash or under installment contract with interest thereon at a rate commensurate with the annual one-year rate for U.S. Treasury notes and bonds, adjusted for constant maturities, as published in the Federal Reserve Bulletin or otherwise available from the Federal Reserve Bank, for the year connection is made with the city water line, computed annually on unpaid balances. Such contract shall provide for a down payment of five percent of the total connection charge, payable upon execution of such contract and for payment of the balance in forty quarterly installments payable on each January 1st, April 1st, July 1st and October 1st. Such installment contract shall provide that any unpaid balance may be paid in full in any year at the time the first quarterly payment of such year is due and payable, shall describe the property served by the water line, shall be acknowledged by the property owner and shall be recorded by the Goldendale city clerk, in the office of the Klickitat County auditor, at the expense of the property owner. Delinquent payments under such installment contract shall be a lien upon the described property as provided in RCW [35.67.200](#), enforceable in accordance with RCW [35.67.220](#) through [35.67.280](#); and as an additional and concurrent method of enforcing the lien, the water service to such property may be cut off in accordance with RCW [35.67.290](#) until the delinquent installments are paid. Upon full payment of the contract, the Goldendale city clerk, on behalf of the city, shall execute and deliver to the property owner a release of such lien.

B. Computation.

1. The special connection charge imposed in subsection A of this section, in order that property owners bear their equitable share of the cost of the water line system, shall be computed as follows:

a. For Lateral Water Lines. The number of units of property frontage to be served by the water line, determined in the manner prescribed in RCW [35.44.030](#) and [35.44.040](#) for determining "assessable units of frontage" or by such other method or combination of methods of computing assessments which may be deemed to more fairly reflect the special benefits to the property being assessed as authorized in RCW [35.44.047](#); provided, that for all water lines that are connected more than one year after the city water line was constructed, interest shall be added thereto at a rate commensurate with the annual one-

year rate for U.S. Treasury notes and bonds, adjusted for constant maturities, as published in the Federal Reserve Bulletin or otherwise available from the Federal Reserve Bank, for the year the city water line was or is completed and available for connection until the connection is made, but excluding both the year of completion of construction and the year connection is made; except that for connection to water lines constructed prior to 1953, interest shall be added thereto at the one-year rate for U.S. Treasury notes and bonds, adjusted for constant maturities, for the year 1953. Interest charged pursuant to this subsection shall not exceed ten percent per year and shall not exceed ten years.

b. For Main Water Lines. The rate of assessment per square foot of property area to be served by the water line shall be determined on the basis that special benefits are conferred on the property in a manner prescribed in RCW [35.44.030](#) and RCW [35.44.040](#) or by such other method or combination of methods of computing assessments which may be deemed to more fairly reflect the special benefits to the property being assessed as authorized by RCW [35.44.047](#); provided, that for all water lines that are connected more than one year after the city water line was constructed, interest shall be added thereto at a rate commensurate with the annual one-year rate for U.S. Treasury notes and bonds, adjusted for constant maturities, as published in the Federal Reserve Bulletin or otherwise available from the Federal Reserve Bank, for the year the city water line was or is completed and available for connection until the connection is made, but excluding both the year of completion of construction and the year connection is made, except that, for connection to water lines constructed prior to 1953, interest shall be added thereto at the one-year rate for U.S. Treasury notes and bonds, adjusted for constant maturities, for the year 1953. Interest charged pursuant to this subsection shall not exceed ten percent per year and shall not exceed ten years.

2. Such special connection charge for property abutting on a street in which a water line can be constructed or extended to serve such property shall be computed as if the water line were so constructed or extended; and the special connection charge for property located back from the margin of the street in which the water line exists and outside of the assessment district created therefor shall be made giving consideration to the distance of the property from the street margin. In no case shall credit be allowed for the cost of extra length of side water line required for connection to the city's water lineage system; provided, that in cases where application of the foregoing formula to a particular property results in a charge which because of unusual conditions is in excess of charges to similar properties, the city clerk is authorized to reduce the special connection charge to the amount charged to properties similarly situated.

3. For connection to side water lines constructed by the city, the property owner for whose benefit connection is made shall pay the cost of the side water line. The cost shall be computed as follows: the actual cost to the city of the side water line, plus fifteen percent for city design and administrative costs, plus interest at a rate commensurate with the annual one-year rate for U.S. Treasury notes and bonds adjusted for constant maturities, as published in the Federal Reserve Bulletin or otherwise available from the Federal Reserve Bank, for the year the city water line was or is completed and available for connection and applied until the connection is made, but excluding both the year of completion of construction and the year connection is made.

13.04.030 Meter-Installation requirements.

Upon payment of the water service system development charge, the city will install the meter within one month and begin the monthly "base meter charge" for said meter upon

installation. Such meters shall be installed in accordance with the ordinances and standards of the city. Additionally, the installation will be subject to the following requirements:

A. The tap of the water main and the installation of the pipe and shut-off valve between the water main and the meter shall be accomplished by the duly authorized employees of the city only.

B. The water meters shall be installed within the limits of the street right-of-way line or easement and the installation shall include a shut-off valve between the meter and the city water main.

C. The water service from the water main, including water meter and meter spud, shall, upon installation, become the property of the city and shall be served and maintained by the city.

13.04.035 Meter-Installation expense.

A. Installation of water not accomplished by January 1, 2010, may be installed thereafter by the city at the expense of the owner of the premises and such cost shall be payable to the city in advance thereof except as outlined in subsection B of this section. Said expense shall include a water service system development charge as described in Section [13.04.020](#).

B. For all meter installation the public works director shall complete a good faith estimate of costs for installation. The person requesting the water service shall pay the cost estimate along with the water service system development charge. If factual costs are less the city will reimburse the applicant; if costs are more the additional costs will be collected from the applicant.

C. Meter installation shall be charged to the purchaser at the rate of cost.

13.04.040 Monthly base meter charge.

All water service connections shall pay a monthly base meter charge according to meter size as described in Section [13.04.050](#), regardless if the meter is turned on, off, or if any water has been used. When there is a combination of private fire service and general water use through a single line, for billing purposes only, the meter size calculated to be required for the general water use portion shall be used. Monthly base meter charge can be omitted for irrigation meters only if property owners request meters to be turned off during months with no use. Property owners will be charged standard turn off and on fees.

13.04.045 Account names.

All accounts for water shall be kept in the name of the owner of the property and not in the name of the tenant; and the owner only, or his legally authorized agent, shall be held responsible for water charges.

13.04.050 Meter rates.

The following monthly base meter rates shall be charged as follows:

A. Monthly Base Meter Charge.

**Water Rates
Inside City Limits
Base Meter Charge
Effective as of the beginning of the year**

Meter Size	Year 2024	Year 2025	Year 2026	Year 2027	Year 2028
3/4 inch	\$41.36	\$45.50	\$50.05	\$52.55	\$54.39
1 inch	\$69.08	\$75.99	\$83.59	\$87.77	\$90.84
1 1/2 inch	\$138.15	\$151.96	\$167.16	\$175.52	\$181.66
2 inch	\$222.64	\$244.90	\$269.39	\$282.86	\$292.76
3 inch	\$484.08	\$532.48	\$585.73	\$615.02	\$636.55
4 inch	\$934.29	\$1,027.71	\$1,130.48	\$1,187.01	\$1,228.55
6 inch	\$1,382.74	\$1,521.02	\$1,673.12	\$1,756.78	\$1,818.26
8 inch	\$2,846.82	\$3,131.50	\$3,444.65	\$3,616.89	\$3,743.48

**Water Rates
Outside City Limits
Base Meter Charge
Effective as of the beginning of the year**

Meter Size	Year 2024	Year 2025	Year 2026	Year 2027	Year 2028
3/4 inch	62.04	68.24	75.07	78.82	81.58
1 inch	103.62	113.98	125.38	131.65	136.26
1 1/2 inch	207.23	227.95	250.75	263.28	272.50
2 inch	333.96	367.36	404.09	424.30	439.15
3 inch	726.11	798.72	878.59	922.52	954.81
4 inch	1401.43	1541.58	1695.73	1780.52	1842.84
6 inch	2074.12	2281.53	2509.68	2635.16	2727.40
8 inch	4270.24	4697.27	5167.00	5425.35	5615.23

Starting on January 1st of the year 2029, and every year thereafter, a 2.5% annual increase shall be imposed on fees and fee schedules within this chapter.

B. Monthly Water Usage Schedule for Water Usage of All Types and Locations. The rates shown below are per one hundred cubic feet (c.f.) or fraction thereof for any water usage.

Water usage Demand Charges
Effective as of the beginning of the year

Demand Rate	Year 2024	Year 2025	Year 2026	Year 2027	Year 2028
0 cu.ft. to 750 cu.ft.	1.05	1.15	1.26	1.33	1.37
751 cu.ft. to 1500 cu.ft.	1.21	1.33	1.46	1.54	1.59
1501 cu.ft to 3000 cu.ft.	1.38	1.51	1.66	1.75	1.81
3001 cu.ft to 5000 cu. ft	1.82	2.00	2.20	2.31	2.39
5000 cu.ft. to 8000 cu.ft	2.15	2.36	2.60	2.73	2.82
Over 8000 cu.ft.	2.42	2.66	2.93	3.07	3.18

~~C.—During the period of November 15th through March 15th, customers will be billed the monthly base meter charge as set forth above and water use based on historical usage. The March billing will correct any disparity between historical and actual usage for the months described above.~~

C.D. Demand Charges.

1. Bulk water will be charged at the rate on the chart below of 0.04 cents per gallon undelivered.

Demand Rate	Year 2024	Year 2025	Year 2026	Year 2027	Year 2028
-------------	--------------	--------------	--------------	--------------	--------------

Cents per gallon	.04	.05	.06	.07	.08
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2. Where unusual circumstances prevent a meter reading, water consumption will be estimated.

E. Leakage-Rate Reduction.

1. To be eligible for leakage-rate reduction, a leak located on the property owner's side of the water meter must be repaired within seven days from discovery or notification. Water service will be discontinued upon failure to repair the leak within seven days or in a time period agreeable to by the city public works director or his/her designee.
2. After the service line is repaired by the owner and upon written request by the property owner, the city clerk-treasurer will make an adjustment to the water bill.

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3. The adjustment shall be two-thirds of that portion of the customer's water bill which is over the historical water usage. The adjustment shall be limited to the period of ninety days prior to the repair of the leak and inspection thereof.

4. Only one leakage adjustment will be allowed in any two-year period. Additional leaks will require on-site inspection and verification or repairs.

5. Any decision made by the city clerk-treasurer regarding leakage-rate reductions may be appealed to the city council. Such appeals shall be made within ten days of the date that the person making the appeal was notified of the decision from which the appeal is requested.

13.04.055 Multiple user service charge--Applicability.

For the purpose of Sections [13.04.060](#) and [13.04.065](#), multiple user service charge shall apply to master meters that serve more than one unit.

13.04.060 Multiple user service charge--Inside city limits.

Water customers with multiple dwellings, multiple businesses, multiple motel units, cabins, mobile home parks, or RV parks may be served by a master meter, if authorized by the city, and shall be charged the monthly base meter charge and shall, in addition, pay a minimum monthly charge for each of such additional dwellings, businesses, and motel units served through the meter as follows:

For each additional dwelling and mobile home in a mobile home park.

2024	2025	2026	2027	2028	
\$30.36	\$33.39	\$36.72	\$38.55	\$39.89	

For each additional residential dwelling, duplexes to apartments.

2024	2025	2026	2027	2028	
\$24.86	\$27.34	\$30.07	\$31.57	\$32.67	

For each additional motel unit, hotel unit, RV space, mobile unit space or multiple businesses.

2024	2025	2026	2027	2028	
\$13.86	\$15.24	\$16.76	\$17.59	\$18.20	

13.04.065 Multiple user service charge--Outside city limits.

Water customers with multiple dwellings, multiple motel units, cabins, mobile home parks, or RV parks may be served by a master meter, if authorized by the city, and shall be charged

the monthly base meter charge and shall, in addition, pay a minimum monthly charge for each of such additional dwellings, motel units or cabins served through the meter as follows:

For each additional dwelling and mobile home in a mobile home park.

2024	2025	2026	2027	2028	
\$45.54	\$50.09	\$55.09	\$57.84	\$59.86	

For each additional residential dwelling, duplexes to apartments.

2024	2025	2026	2027	2028	
\$37.34	\$41.07	\$45.17	\$47.42	\$49.07	

For each additional motel unit, hotel unit, RV space or mobile unit space.

2024	2025	2026	2027	2028	
\$18.65	\$20.51	\$22.56	\$23.68	\$24.50	

(Ord. 1391 §1 (part), 2009)

13.04.070 Turn off/on charge.

A. Whenever water service has been discontinued by the water department for delinquency or a violation, the service will not be renewed until all charges have been paid. A fee of fifty dollars will be charged to turn on the water service.

B. When it is desired to have the water turned off/on, an application form supplied by the city shall be filled out stating the date of the turnoff and the anticipated date to have the water turned on. The customer shall be charged a fee of fifty dollars for the completed turn off/on during the normal work hours of eight a.m. to four p.m., Monday through Friday except holidays. Afterhours turn on/off requests shall pay a fee of one-hundred dollars.. All unpaid water service including any penalties shall be paid at the time of application for turn off/on. If city is turning off/on water service because of an emergency turn off/on charge will be waived. In the event City staff determines a reasonable person would not consider the request for an emergency turn off/on necessary afterhours fees shall apply.

C. Having the water service turned off shall not eliminate the monthly base meter charge.

13.04.080 Notice of delinquent account.

A. All utility bills of the city shall be delinquent if payment therefore is not received by the city on or before the twenty-fifth day of each ~~even~~ month after the current charges are posted on the bill. Such current charges' date shall be stated on the bill with particularity.

B. Upon lapse of a bill into delinquency, the billing clerk, or his designee, shall as soon as practicable cause a notice of delinquent account to be deposited in the United States mail, addressed to the owner of the property which is delinquent.

C. Deposit in the United States mail pursuant to subsection B of this section shall be deemed full and complete notice to the owner and consumer of the nature and amount of any particular utility billing.

D. The notice of delinquent account shall state that unless all delinquencies are corrected within ten days of the date of the notice of delinquent account, the city will disconnect or discontinue utility service without further notice or after a date certain to be stated in the notice of delinquent account. The notice of delinquent account shall further state that, if the customer has questions concerning the account or disputes the amount of the account, he may appeal to the clerk-treasurer, or his authorized designee, whose address and telephone number shall be stated on the notice of delinquent account.

E. Upon request the clerk-treasurer or designee shall be allowed to work out delinquent account payment arrangements or adjustments, including water/sewer charges, the delinquent penalty charge, pursuant to subsection F of this section, and turn on charges, pursuant to Section 13.04.070(A). ~~One delinquency balance arrangement will be allowed in any one-year period.~~ Customers will be allowed to carry a balance of twenty-five dollars or less without penalty.

F. An account which has become delinquent may be assessed with a penalty of ten dollars.

13.04.090 Disconnection of utility service.

Should a delinquent account not be paid pursuant to Section [13.08.750](#), the clerk-treasurer or his designee shall immediately cause the water service to be cut off from the premises, and such utility service shall not be reconnected to the premises until all arrears, delinquent charges, service charges, turn-on charges, and unpaid charges are paid.

Once a water service has been disconnected, the monthly meter charge will continue to be charged to the landowner.

13.04.100 Delinquent charge--Lien.

The city shall have a lien upon the real estate to which water is furnished for delinquent charges and the lien shall be the lien as provided by the laws of the state of Washington in Remington's Revised Statutes, Sections 9471 and 9472 and all acts now or in the future amendatory thereto.

13.04.110 Tap--Pipe connections.

All new tap connections and pipe connections shall be made under city supervision or by the city and each new residence or business building shall be required to have a sole and separate main tap.

13.04.120 Shut-off--Turn-on order.

It shall be the duty of the city clerk-treasurer and within his official power to order water shut off or turned on and he shall direct the orders to the public works director whose duty it shall be to comply with the orders.

13.04.130 Water user information.

It shall be the duty of each water user to give such information as needed in order to determine his water rental set forth in Section [13.04.010](#) and failure to give such information shall be grounds for discontinuing the person's water service.

13.04.140 Rate-Regulation applicability.

The city council intends to make the water rates and regulations herein set forth to apply equally and equitably to all persons but if such a situation shall arise that is not specifically covered by the rates or an inequity is discovered in any particular case the council shall have the right and power to apply as it may see fit, its judgment, as to the rate that the person shall be charged and which shall not be inconsistent with the provisions and intent of the ordinance codified in this chapter.

13.04.150 Rate change.

The city council may at any time change the water rates and charges as set forth in this chapter. The changes shall be made by resolution, ordinance or amendment of the ordinance codified in this chapter in the manner provided by law, or the changes may be made by the city council by two publications thereof in the official newspaper of the city, with the last publication being at least thirty days before the rate shall become effective.

13.04.160 Irrigation--Permit required.

It is unlawful for any person to irrigate without a city permit by any underground system of pipes so that irrigation is carried on in such a manner that the same cannot be detected without close examination or at all and being for all practical purposes a system of subirrigation.

13.04.161 Irrigation--City parks rate charge.

Water rates shall be ninety-five cents per one hundred cubic feet for usage for all city parks water meters.

13.04.170 Pipeline tapping--Permit.

It is unlawful for any person to tap any city pipeline without first obtaining a permit from the city.

13.04.180 Charges--Violation--Penalty.

Any person violating the provisions of this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than twenty dollar nor more than five hundred dollars in the discretion of the court and shall in addition thereto pay the costs of prosecution. The person shall also be subject to a discontinuation of all water service until the fine is paid.

ARTICLE II. BACKFLOW PREVENTION--CROSS-CONNECTIONS

13.04.190 Definition of cross-connection.

The installation or maintenance of any cross-connection with the public water supply of the city is prohibited, except as authorized in this chapter. Any such cross-connection now existing or hereafter installed is declared subject to immediate termination of water service and any such cross-connection shall be abated immediately. A "cross-connection" is defined as: any physical arrangement where a public water system is connected, directly or indirectly, with any other non-potable water system or auxiliary system, sewer, drain conduit, swimming pool, storage reservoir, plumbing fixture, swamp coolers, or any other device which contains, or may contain, contaminated water, sewage, or other liquid of unknown or unsafe quality which may be capable of imparting contamination to the public water system as a result of backflow. Bypass arrangements, jumper connections, removable sections, swivel or changeover devices, or other temporary devices through which, or because of which, backflow may occur are cross-connections.

13.04.200 Control or elimination of cross-connections.

The control or elimination of cross-connections shall be in accordance with the provisions of the Washington Administrative Code (WAC [246-290-490](#)). The policies, procedures, and criteria for determining appropriate levels of protection shall be in accordance with the Accepted Procedures and Practice in Cross-Connection Control Manual, as published by the Pacific Northwest Section, American Waterworks Association, most current edition.

13.04.210 Compliance failure.

The city shall deny or discontinue water service to any customer failing to cooperate in the installation, maintenance, testing, or inspection of backflow prevention assemblies required and as stated in WAC [246-290-190](#). The public works director is recognized as the water system manager for the city and as such shall have the authority for all enforcement pertaining to this chapter.

13.04.220 Installation of backflow devices.¹

As a condition of new or continued water service, approved backflow prevention assemblies shall be installed and maintained by all customers who:

- A. Are industrial or commercial customers not entitled to an exemption under Section [13.04.230](#);
- B. Operate commercial or residential fire sprinkler systems;
- C. Operate irrigation systems connected to their plumbing and the city distribution system;
- D. Maintain cross-connections to their water service with air conditioning systems, medical apparatuses, or other devices or processes where chemicals or other objectionable substances may be siphoned into the water system;
- E. Have plumbing arrangements which are questionable;

F. Or which in the judgment of the public works supervisor compromise the public's health or safety.

13.04.225 Definition of approved backflow prevention assembly.

An "approved backflow prevention assembly" means a backflow prevention assembly model approved by the state of Washington, Department of Health, and the city. Unless an exemption is granted, the minimum requirement for a backflow prevention assembly, within the city, shall consist of a double check valve assembly.

13.04.230 Exemptions.

Where an industrial or commercial customer can demonstrate to the satisfaction of the public works director, or his representative, that there are no cross-connections with the water supply on their premises and that no health hazard is posed by reason of presence of toxic materials on the environment, the public works supervisor or his representative may grant the customer an exemption from the cross-connection requirements in this chapter. Decisions made under this section shall be made at the sole discretion of the public works supervisor, or his representative, to carry out the cross-connection control programs of the city. Exemptions are subject to periodic review and may be revoked whenever a cross-connection is made or a risk to public health or water quality is present.

13.04.240 Inspection, approval, and disapproval of backflow prevention assemblies.

The public works director and designated employees or representatives are delegated the authority to inspect, approve and disapprove backflow prevention assemblies, to require corrections, modifications, repairs, or maintenance on backflow prevention assemblies and to inspect all premises of customers where backflow prevention assemblies may be required. A minimum standard for the maintenance and installation of backflow prevention assemblies shall be those set forth in the Accepted Procedures and Practice in Cross-Connection Control Manual, current edition, as published by the Pacific Northwest Section of the American Waterworks Association. The public works supervisor is authorized to establish higher standards for installation and maintenance of backflow prevention assemblies where good engineering practice, industry standards or the protection of public health requires such higher standards.

13.04.250 Right to inspect backflow devices.

As a condition of a continued water service, customers shall make their premises, including buildings and structures, to which water is supplied, accessible to the city personnel periodically to determine whether backflow prevention assemblies are required or are properly installed and maintained. All backflow devices installed within the territory served by city water shall be tested immediately upon installation and at least annually thereafter by a state-certified tester. All such devices found not functioning properly shall be promptly repaired or replaced by the water user. If any such device is not promptly repaired or replaced, the city may deny or discontinue water service to the premises. All testing and repairs are the financial responsibility of the water user.

13.04.260 Permit for installation of irrigation systems and backflow devices.

Prior to the installation of irrigation systems and backflow prevention assemblies, the customer shall obtain a permit from the city for such installation.

13.04.270 Application required even though building codes do not require.

The requirements in this chapter for backflow prevention assembly installation shall apply even though building codes may not require backflow prevention assemblies.

13.04.280 Prohibition of interconnection of private water supplies with the city's distribution system.

The city prohibits interconnection of private water supplies with the city's distribution system. Auxiliary water supplies (private wells, piped irrigation sources, etc.) are a major cross-connection control hazard and therefore must be effectively isolated from the domestic water supply.

The city cross-connection control policies and requirements for customers with private wells are as follows:

- A. No backflow protection is required if the source is verified to be permanently inactive and abandoned in accordance with the requirements of the department of health, and permanently mechanically separated from the customer's water system.
- B. If the well remains active, an approved reduced pressure backflow assembly is required at the service connection to provide a measure of protection.

New services will be locked off until compliance is verified by the city. Visual inspection of piping is required for premises retaining active well systems.

13.04.290 Cost of compliance.

All costs associated with purchase, installation, inspection, testing, replacement, maintenance, parts, and repairs of the backflow device are the financial responsibility of the property owner.

13.04.300 Termination of service.

Failure on the part of any customer to discontinue the use of all cross-connections and to physically separate cross-connections is sufficient cause for the immediate discontinuance of public water service to the premises (WAC [246-290-490](#)).

13.04.305 Permits.

Before installing any backflow device or irrigation system, fire suppression system or auxiliary connection to the city water system the property owner or their designee must

obtain a public works permit. All devices must be installed by a licensed bonded contractor or plumber. The permit for installation of a backflow device shall be issued by the public works director or his designee.

13.04.310 Testing.

The property owner shall have his device tested by a Washington state certified backflow assembly tester and present to the city a certificate showing annual inspection, test results, repairs, and approval. Failure to present these results to the city may result in immediate termination of the water service.

ARTICLE III. WATER USE

13.04.320 Regulations--Irrigation districts.

The city council or other official designated by them may make and enforce regulations relating to irrigation and sprinkling in the city and at any time the council or authorized official may divide the city into irrigation districts and allot certain hours and days to each of the districts for irrigation and sprinkling and the regulations may be changed from time to time as deemed necessary.

13.04.370 Regulation publication.

Notice of the irrigation and sprinkling regulations shall be made in one publication in the official newspaper of the city and the rules and regulations shall be in full force and effect on the next day after the date of the publication and remain in effect until notice of change or cancellation thereof is made in a like manner.

13.04.380 Trough---Receptacle.

From and after the effective date of the ordinance codified in this chapter, any persons using water from the water system of the city shall provide suitable troughs or receptacles for the containing of such water so the water taken from the water system shall not be spilled on the ground or wasted and shall install and maintain proper float valves in such troughs or receptacles so the water will shut off automatically before such trough or receptacles shall become completely filled with water, and such troughs and receptacles shall be maintained so they will not leak.

13.04.390 Violation--Penalty.

A. In case of violation of the provisions of Section [13.04.010](#), the city, through its proper officer or officers, may shut off the water from such user and the same shall not be turned on again until the person owning or operating any trough or receptacles so violating Section [13.04.380](#) shall have paid to the city, for the use of the water fund of the city, the sum of twenty-five dollars for the first offense and an additional twenty-five dollars for each subsequent violation of Section [13.04.010](#).

B. It is unlawful for any person to violate any of the regulations of Sections [13.04.320](#) and [13.04.370](#) and any person violating any of the provisions of Sections [13.04.320](#) and [13.04.370](#) is guilty of a misdemeanor and upon conviction thereof

shall be fined not less than ten dollars and not more than two hundred dollars, in the discretion of the court, none of which may be suspended, and shall in addition thereto pay all costs of prosecution.

AGENDA BILL: J3

AGENDA TITLE: ORDINANCE NO 1546 – AMENDING SEWER
RATE ORDINANCE CHAPTER 13.08

DATE: APRIL 7, 2025

ACTION REQUIRED:

ORDINANCE X COUNCIL INFORMATION

RESOLUTION OTHER

MOTION X

EXPLANATION:

The City of Goldendale staff has identified certain errors in Chapter 13.08 of the Goldendale Municipal Code and desires to correct the errors.

FISCAL IMPACT:

ALTERNATIVES:

STAFF RECOMMENDATION:

MOTION:

**I MOVE TO ACCEPT ORDINANCE NO 1546 AMENDING AND CORRECTING
CHAPTER 13.08, SEWER DISPOSAL SYSTEM OF THE GOLDENDALE MUNICIPAL
CODE FOR IT'S 1ST READING.**

**(OPTION – YOU CAN WAIVE THE 2ND READING IF YOU ARE READY TO
APPROVE IT)**

ORDINANCE NO. 1546

AN ORDINANCE OF THE CITY OF GOLDENDALE, WASHINGTON AMENDING AND CORRECTING CHAPTER 13.08, SEWAGE DISPOSAL SYSTEM, OF THE GOLDENDALE MUNICIPAL CODE

WHEREAS, the City of Goldendale has identified certain errors in Chapter 13.08 of the Goldendale Municipal Code and desires to correct same;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GOLDENDALE,
WASHINGTON DO ORDAIN AS FOLLOWS:**

Section 1. Goldendale Municipal Code Section 13.08.180, Service rates and charges, which currently reads as follows:

13.08.180 Service rates and charges.

A. For purposes of this section, the following definitions shall apply:

1. "Residential users" is defined as a residential dwelling unit which dwelling unit has its own separate water meter and serves less than four units.
2. "Commercial user" is defined as any user which is not a residential user.

B. The monthly charges for public sewer service for a residential user inside the city limits shall be as follows:

1. Each residential user shall pay a base charge of thirty-one dollars and fifty cents, which includes the first one thousand cubic feet of water consumption.
2. In addition to the base charge, each residential user shall pay seventy cents per each one hundred cubic feet of water consumption over and above the first one thousand cubic feet of water consumption. This amount shall be based upon the average water consumption for the previous period between November 15th and March 15th. This average water consumption shall be used for billing purposes for each billing period from April 1st of one year to March 1st of the following year.
2. A residential user who does not establish an average monthly consumption during the period between November 15th and March 15th because of absence, non ownership or other such similar reason shall pay the sum of thirty-one dollars and fifty cents per unit per month until such time as the residential user establishes the average water consumption as set forth in subsection (B)(2) of this section.

C. Residential Users Outside City Limits. The monthly charges for public sewer service for a residential user shall be as follows:

1. Each residential user shall pay a base charge of forty-seven dollars and twenty-five cents which includes the first one thousand cubic feet of water consumption.
2. In addition to the base charge, each residential user shall pay one dollar and five cents per each one hundred cubic feet of water consumption over and above the first one thousand cubic feet of water consumption. This amount shall be based upon the average water consumption for the previous period between November 15th and March 15th. This average water consumption shall be used for billing purposes for each billing period from April 1st of one year to March 1st of the following year.
3. A residential user who does not establish an average monthly consumption during the period between November 15th and March 15th because of absence, non ownership or other such similar reason shall pay the sum of forty-seven dollars and twenty-five cents per unit each month until such time as the residential user establishes the average water consumption as set forth in subsection (C)(2) of this section.

D. The monthly charges for public sewer service for a commercial user inside the city limits shall be as follows:

1. Each commercial user shall pay a base charge determined by the size of water meter as follows:

Sewer Rates

Inside City limits

Base Meter Charge

Meter Size	Year 2024	Year 2025	Year 2026	Year 2027	Year 2028
3/4"	\$55.80	\$65.29	\$76.38	\$83.26	\$90.75
1"	\$83.70	\$97.93	\$114.58	\$124.89	\$136.13
1 1/2"	\$167.40	\$195.86	\$229.15	\$249.78	\$272.26
2"	\$279.00	\$326.43	\$381.92	\$416.30	\$453.76
3"	\$558.00	\$652.86	\$763.85	\$832.59	\$907.53
4"	\$837.00	\$979.29	\$1,145.77	\$1,248.89	\$1,361.29

2. Multiple User Service Charge. Sewer customers with multiple dwellings, multiple motel units, mobile home parks, or RV parks may be served by a master meter, if authorized by the city, and shall be charged the minimum charge for one thousand cubic feet of water and shall, in addition, pay a minimum monthly charge for each of such additional dwellings, motel units or cabins served through the meter as follows:

- a. For each additional dwelling a minimum charge for five hundred cubic feet of: see table below.
- b. For each mobile home in a mobile home park a minimum charge for five hundred cubic feet of: see table below.
- c. For each additional motel unit or hotel room or cabin a minimum charge for five hundred cubic feet of: see table below.
- d. For each RV space of transient mobile unit space a minimum charge for five hundred cubic feet of: see table below.

	Year 2024	Year 2025	Year 2026	Year 2027	Year 2028
a.	\$12.00	\$14.04	\$16.43	\$17.91	\$19.52
b.	\$6.00	\$7.02	\$8.21	\$8.95	\$9.76
c.	\$6.00	\$7.02	\$8.21	\$8.95	\$9.76
d.	\$6.00	\$7.02	\$8.21	\$8.95	\$9.76

For each of the above, the overage charge as set forth in subsection (D)(3) of this section shall apply.

3. In addition to the base charge, each commercial user shall pay one dollar and forty cents per each one hundred cubic feet of water consumption over and above the first one thousand cubic feet of water consumption. This amount shall be based upon the average water consumption for the previous period between November 15th and March 15th. This average water consumption shall be used for billing purposes for each billing period from April 1st of one year to March 1st of the following year.

E. The monthly charges for public sewer service for a commercial user outside the city limits shall be as follows:

- 1. Each commercial user outside the city limits shall pay a base charge determined by the size of water meter as follows:

Sewer Rates
Outside City Limits
Base Meter Charge

Meter Size	Year 2024	Year 2025	Year 2026	Year 2027	Year 2028
3/4"	\$83.70	\$97.93	\$114.58	\$124.89	\$136.13
1"	\$125.56	\$146.90	\$171.87	\$187.34	\$204.20
1 1/2"	\$251.10	\$293.79	\$343.73	\$374.67	\$408.39
2"	\$418.50	\$489.65	\$572.88	\$624.44	\$680.64
3"	\$837.00	\$979.26	\$1,145.77	\$1,248.89	\$1,361.98
4"	\$1,254.30	\$1,467.53	\$1,717.01	\$1,871.54	\$2,039.98

F. Where a commercial user's sewer charges cannot be determined under subsection B of this section because of the inability to meter water to determine domestic sewage use, then a determination of use of the domestic sewage shall be made as follows:

Monthly, the business shall report to the city the average number of full-time equivalent employees they employed the preceding month. The city shall make a determination of sewer use using equivalent residential units (ERU) discharge tables as published by the Department of Ecology, criteria for sewage works design.

IS HEREBY AMENDED TO READ AS FOLLOWS:

13.08.180 Service rates and charges.

A. For purposes of this section, the following definitions shall apply:

1. "Residential users" is defined as a residential dwelling unit which dwelling unit has its own separate water meter and serves less than four units.
2. "Commercial user" is defined as any user which is not a residential user.

B. The monthly charges for public sewer service for a commercial user inside the city limits shall be as follows:

1. Each commercial user shall pay a base charge from the chart below, which includes the first one thousand cubic feet of water consumption.

2. In addition to the base charge, each commercial user shall pay one dollar and forty cents (\$1.40) per each one hundred cubic feet of water consumption over and above the first one thousand cubic feet of water consumption. This amount shall be based upon the average water consumption for the previous period between November 15th and March 15th. This average water consumption shall be used for billing purposes for each billing period from April 1st of one year to March 1st of the following year.

C. Commercial Users Outside City Limits. The monthly charges for public sewer service for a commercial user shall be as follows:

1. Each commercial user shall pay a base charge from the chart below, which includes the first one thousand cubic feet of water consumption.

2. In addition to the base charge, each commercial user shall pay one dollar and forty cents (\$1.40) per each one hundred cubic feet of water consumption over and above the first one thousand cubic feet of water consumption. This amount shall be based upon the average water consumption for the previous period between November 15th and March 15th. This average water consumption shall be used for billing purposes for each billing period from April 1st of one year to March 1st of the following year.

3. Multiple User Service Charge. Sewer customers with multiple dwellings, multiple motel units, mobile home parks, or RV parks may be served by a master meter, if authorized by the city, and shall be charged the minimum charge for one thousand cubic feet of water and shall, in addition, pay a minimum monthly charge for each of such additional dwellings, motel units or cabins served through the meter see the chart below under Multiple User Service Charge.

D. Where commercial user's sewer charges cannot be determined under subsection B of this section because of the inability to meter water to determine domestic sewage use, then a determination of use of the domestic sewage shall be made as follows:

Monthly, the business shall report to the city the average number of full-time equivalent employees they employed the preceding month. The city shall make a determination of sewer use using equivalent residential units (ERU) discharge tables as published by the department of ecology, criteria for sewage works design.

E. The monthly charges for public sewer service for a commercial user inside the city limits shall be as follows:

1. Each residential user shall pay a base charge determined by the size of water meter as follows:

Sewer Rates

Inside City limits

Base Meter Charge

Meter Size	Year 2024	Year 2025	Year 2026	Year 2027	Year 2028
3/4"	\$55.80	\$65.29	\$76.38	\$83.26	\$90.75
1"	\$83.70	\$97.93	\$114.58	\$124.89	\$136.13
1 1/2"	\$167.40	\$195.86	\$229.15	\$249.78	\$272.26
2"	\$279.00	\$326.43	\$381.92	\$416.30	\$453.76
3"	\$558.00	\$652.86	\$763.85	\$832.59	\$907.53
4"	\$837.00	\$979.29	\$1,145.77	\$1,248.89	\$1,361.29

2. Multiple User Service Charge. Sewer customers with multiple dwellings, multiple motel units, mobile home parks, or RV parks may be served by a master meter, if authorized by the city, and shall be charged the minimum charge for one thousand cubic feet of water and shall, in addition, pay a minimum monthly charge for each of such additional dwellings, motel units or cabins served through the meter as follows:

- a. For each additional dwelling a minimum charge for five hundred cubic feet of: see table below.
- b. For each mobile home in a mobile home park a minimum charge for five hundred cubic feet of: see table below.
- c. For each additional motel unit or hotel room or cabin a minimum charge for five hundred cubic feet of: see table below.
- d. For each RV space of transient mobile unit space a minimum charge for five hundred cubic feet of: see table below.

	Year 2024	Year 2025	Year 2026	Year 2027	Year 2028
a.	\$12.00	\$14.04	\$16.43	\$17.91	\$19.52
b.	\$6.00	\$7.02	\$8.21	\$8.95	\$9.76
c.	\$6.00	\$7.02	\$8.21	\$8.95	\$9.76
d.	\$6.00	\$7.02	\$8.21	\$8.95	\$9.76

For each of the above, the overage charge as set forth in subsection (D)(3) of this section shall apply.

F. The monthly charges for public sewer service for a residential user outside the city limits shall be as follows:

1. Each residential user outside the city limits shall pay a base charge determined by the size of water meter as follows:

Sewer Rates

Outside City Limits

Base Meter Charge

Meter Size	Year 2024	Year 2025	Year 2026	Year 2027	Year 2028
3/4"	\$83.70	\$97.93	\$114.58	\$124.89	\$136.13
1"	\$125.56	\$146.90	\$171.87	\$187.34	\$204.20
1 1/2"	\$251.10	\$293.79	\$343.73	\$374.67	\$408.39
2"	\$418.50	\$489.65	\$572.88	\$624.44	\$680.64
3"	\$837.00	\$979.26	\$1,145.77	\$1,248.89	\$1,361.98
4"	\$1,254.30	\$1,467.53	\$1,717.01	\$1,871.54	\$2,039.98

Section 2. Except as amended herein, Chapter 13.08 of the Goldendale Municipal Code is affirmed and unchanged.

Section 3. The provisions of this Ordinance are subject to the following referendum procedures:

Section 4. This Ordinance shall take force and be in effect five (5) days from and after its passage, approval, and publication according to law, subject to the provisions of Section 4 herein in the event of the filing of a referendum.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
GOLDENDALE, WASHINGTON, THIS 7TH DAY OF APRIL 2025.**

Dave Jones
Mayor

ATTEST:

Shelly Enderby
Clerk-Treasurer

APPROVED AS TO FORM:

CITY ATTORNEY

PUBLICATION:
EFFECTIVE:

Chapter 13.08 SEWAGE DISPOSAL SYSTEM

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ARTICLE I. GENERAL PROVISIONS

| 13.08.010 Definitions.

For purposes of this chapter, the following words and terms shall have the meanings set out in this section:

- A. "B.O.D." (denoting biochemical oxygen demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty degrees centigrade expressed in parts per million by weight.
- B. "Building drain" means that part of the lowest horizontal piping of the drainage system which receives the discharge from soil, waste, and other drainage pipes, inside the walls of the building and conveys it to the building sewer, beginning five feet outside the inner face of the building wall.
- C. "Building sewer" means the extension from the building drain to the public sewer or other place of disposal.
- D. "Combined sewer" means a sewer receiving both surface runoff and sewage.
- E. "Garbage" means solid wastes from the preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.
- F. "Industrial wastes" means the liquid wastes from industrial processes as distinct from sanitary sewage.
- G. "Natural outlet" means any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.
- H. "Person" means any individual, firm, company, association, society, corporation, or group.
- I. "pH" means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

J. "Properly shredded garbage" means the wastes from the preparation, cooking and dispensing of food that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.

K. "Public sewer" means a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

L. "Sanitary sewer" means a sewer which carries sewage and to which storms, surface and ground waters are not intentionally admitted.

M. "Sewage" means a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments.

N. "Sewage treatment plant" means any arrangement of devices and structures used for treating sewage.

O. "Sewage works" means all facilities for collecting, pumping, treating and disposing of sewage.

P. "Sewer" means a pipe or conduit for carrying sewage.

Q. "Shall" is mandatory; "may" is permissive.

R. "Slug" means any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen minutes more than five times the average twenty-four-hour concentration or flows during normal operation.

S. "Storm sewer or storm drain" means a sewer which carries storm and surface waters and drainage but excludes sewage and polluted industrial wastes.

T. "Superintendent" wherever used in this chapter shall be held and construed to mean the city manager, and any act in this chapter required or authorized to be done by the superintendent may be done on behalf of the superintendent by an authorized employee.

U. "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 a laboratory filtering.

V. "Watercourse" means a channel in which a flow of water occurs, either continuously or intermittently.

W. Word Construction. "Person" or "customer" wherever used in Chapter [13.04](#) and this chapter means and includes person of either sex, associations, co-partnerships, and corporations, whether acting by themselves or by a servant, agent or employee, the singular number shall be held and construed to include the plural and the masculine pronoun to include the feminine. (Ord. 1061 §9, 1990; prior code §§14.08.010–14.08.200)

13.08.020 Definitions for rate making purposes.

- A. An "apartment house" is a building containing two or more family units.
- B. "Bungalow apartments" are a group of buildings containing three or more apartment units under separate roofs, or which are supplied by a central heating plant, or all being under the same ownership provided further that central heating plant shall not cross any dedicated street or alley; and provided further that the superintendent of the sewer department shall determine the size of the building sewer service pipe to said premises.
- C. A "duplex apartment" is a building containing two apartment units only.
- D. Combination commercial business and domestic consumers under the same roof, or a detached building occupying the same plotted lots directly in rear of the main building served through one connection are two units.
- E. A "boarding house" is one having four or more boarders, but considered one unit.
- F. An "apartment" is one or more rooms used for housekeeping in which there is a sink and the charge shall be the same as a dwelling unit rate.
- G. A "trailer court" is a commercial business, which has two or more trailer family units.
- H. One person occupying a building constitutes a family.
- I. A "multiple tenant business" is a building containing two or more separate businesses which is served through one sewer connection. (Ord. 1060 §1, 1990; prior code §14.08.210)

13.08.030 Sewer department main connection.

A connection to the sewer department main must be made on the same lot as is occupied, wholly or in part, by a building. Service pipes must not run to dwellings on other lots, unless authorized by the superintendent. (Prior code §14.08.220)

13.08.040 Placing sewer main tap.

No person shall place a tap in the sewer mains unless authorized and inspected by the superintendent or other authorized personnel. (Prior code §14.08.230)

13.08.050 Tapping mains--Notice.

Notice shall be given to the sewer department at least forty-eight hours in advance for tapping the mains. (Prior code §14.08.240)

13.08.060 Late comer agreements defined.

"Late comer agreements" shall be agreements executed pursuant to RCW [35.91.010](#), et seq. wherein the city may contract with owners of real estate for the construction of water and sewer facilities serving the property, which property is located within the city or within ten miles from the city limits, and whereby the city may provide a fair pro rata share of reimbursement to the owners from persons who subsequently share in the use of such

facilities after the construction and dedication thereof to the city, and acceptance by the city of such facilities. (Prior code §14.08.250)

ARTICLE II. ADMINISTRATION

13.08.070 Water-sewer utility department--Created.

There is created in the water-sewer utility department of the city, a subdepartment to be known as the sewer department. (Prior code §14.12.010)

13.08.080 Officials designated.

A. The superintendent of the sewer department shall have in his charge and under his control, the management, maintenance, and operation of the sewer department of the city including all the system, auxiliary pumping apparatus, treatment plants, pipes and of all persons employed thereon, and of all construction work undertaken. (Ord. 1061 §10, 1990; prior code §14.12.020)

13.08.100 Cooperation of other departments.

It shall be the duties of the employees of the police, engineering, fire and street departments to give vigilant aid to the superintendent of the sewer department in the enforcement of Chapter [13.04](#) and this chapter, and to this end they shall report all violations thereof, which come to their knowledge, to the office of the superintendent of the sewer department. (Prior code §14.12.040)

13.08.110 Engineering.

The city engineer and his deputies shall, upon request of the superintendent of the sewer department, do all the engineering and surveying required in the prosecution of any work to be done under the direction of the superintendent, and shall furnish him full reports of such civil engineering and surveying, and the expense thereof of the engineering shall be charged to the sewer department. (Prior code §14.12.060)

13.08.120 Right of entry.

The superintendent and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this chapter. The superintendent or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment. (Prior code §14.12.070)

13.08.130 Conduct of inspections--Liability.

While performing the necessary work on private properties referred to in Section [13.08.120](#), the superintendent or duly authorized employees of the city shall observe all safety rules

applicable to the premises established by the company and the company shall be held harmless for injury or death to the city employees and the city shall indemnify the company against loss or damage to its property by city employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Section 13.08.590. (Prior code §14.12.080)

13.08.140 Easement access.

The superintendent and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all private properties through which the city holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within the easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved. (Prior code §14.12.090)

ARTICLE III. FEES--RATES--CHARGES

13.08.150 Overhead charges.

There may be charged to the sewer department such sum per year as the city council may fix as a general expense item, for reimbursement to the department of finance and utilities department and office of city attorney for general supervision and additional work of the departments for the sewer department. (Prior code §14.16.010)

13.08.160 Sewer service connection charge.

From and after July 1, 2007 all new sewer service connections inside the city shall be charged as follows according to the corresponding water meter size:

Meter Size	Inside City	Outside City
3/4"	\$ 3,000.00	\$ 6,000.00
1"	4,500.00	9,000.00
1 1/2"	6,000.00	12,000.00
2"	12,000.00	24,000.00
3"	18,000.00	36,000.00
4" or greater	36,000.00	72,000.00

Starting on January 1st of the year 2029, and every year thereafter, a 2.5% annual increase shall be imposed on fees and fee schedules within this chapter.

13.08.165 Special connection charge.

A. Imposed.

1. In addition to sewer line connection permit fees required by ordinance, there is imposed upon the owners of properties which have not been assessed or charged or borne an equitable share of the cost of the city's sewer system shall pay prior to connection to a city sewer line a special connection charge in an amount to be computed under subsection (A)(2) of this section.

2. The special connection charge shall be paid in cash or under installment contract with interest thereon at a rate commensurate with the annual one-year rate for U.S. Treasury notes and bonds, adjusted for constant maturities, as published in the Federal Reserve Bulletin or otherwise available from the Federal Reserve Bank, for the year connection is made with the city sewer line, computed annually on unpaid balances. Such contract, shall provide for a down payment of five percent of the total connection charge, payable upon execution of such contract and for payment of the balance in forty quarterly installments payable on each January 1st, April 1st, July 1st and October 1st. Such installment contract shall provide that any unpaid balance may be paid in full in any year at the time the first quarterly payment of such year is due and payable, shall describe the property served by the sewer line, shall be acknowledged by the property owner and shall be recorded by the Goldendale city clerk, in the office of the Klickitat County auditor, at the expense of the property owner. Delinquent payments under such installment contract shall be a lien upon the described property as provided in RCW [35.67.200](#), enforceable in accordance with RCW [35.67.220](#) through [35.67.280](#); and as an additional and concurrent method of enforcing the lien, the sewer service to such property may be cut off in accordance with RCW [35.67.290](#) until the delinquent installments are paid. Upon full payment of the contract, the Goldendale city clerk, on behalf of the city shall execute and deliver to the property owner a release of such lien.

B. Computation.

1. The special connection charge imposed in subsection (A)(1) of this section, in order that property owners bear their equitable share of the cost of the sewer line system, shall be computed as follows:

a. For Lateral Sewer Lines. The number of units of property frontage to be served by the sewer line, determined in the manner prescribed in RCW [35.44.030](#) and [35.44.040](#) for determining "assessable units of frontage" or by such other method or combination of methods of computing assessments which may be deemed to more fairly reflect the special benefits to the property being assessed as authorized in RCW [35.44.047](#), provided that, for all sewer lines that are connected more than one year after the city sewer line was constructed, interest shall be added thereto at a rate commensurate with the annual one-year rate for U.S. Treasury notes and bonds, adjusted for constant maturities, as published in the Federal Reserve Bulletin or otherwise available from the Federal Reserve Bank, for the year the city sewer line was or is completed and available for connection until the connection is made, but excluding both the year of completion of construction and the year connection is made; except that for connection to sewer lines constructed prior to 1953, interest shall be added thereto at the one-year rate for U.S. Treasury notes and bonds, adjusted for constant maturities, for the year 1953. Interest charged pursuant to this paragraph shall not exceed ten percent per year and shall not exceed ten years.

b. For Main Sewer Lines. The rate of assessment per square feet of property area to be served by the sewer line shall be determined on the basis that special benefits are conferred on the property in manner prescribed in RCW [35.44.030](#) and RCW [35.44.040](#) or by such other method or combination of methods of computing assessments which may be deemed to more fairly reflect the special benefits to the property being assessed as authorized by RCW [35.44.047](#), provided that, for all sewer lines that are connected more than one year after the city sewer line was constructed, interest shall be added thereto at a rate commensurate with the annual one-year rate for U.S. Treasury notes and bonds, adjusted for constant maturities, as published in the Federal Reserve Bulletin or otherwise available from the Federal Reserve Bank, for the year the city sewer line was or is completed and available for connection until the connection is made, but excluding both the year of completion of construction and the year connection is made, except that, for connection to sewer lines constructed prior to 1953, interest shall be added thereto at the one-year rate for U.S. Treasury notes and bonds, adjusted for constant maturities for the year 1953. Interest charged pursuant to this paragraph shall not exceed ten percent per year and shall not exceed ten years.

C. Such special connection charge for property abutting on a street in which a sewer line can be constructed or extended to serve such property shall be computed as if the sewer line were so constructed or extended; and the special connection charge for property located back from the margin of the street in which the sewer line exist and outside of the assessment district created therefor shall be made giving consideration to the distance of the property from the street margin. In no case shall credit be allowed for the cost of extra length of side sewer line required for connection to the city's sewer lineage system; provided, that in cases where application of the foregoing formula to a particular property results in a charge which because of unusual conditions is in excess of charges to similar properties, the city clerk is authorized to reduce the special connection charge to the amount charged to properties similarly situated.

D. For connection to side sewer lines constructed by the city, the property owner for whose benefit connection is made shall pay the cost of the side sewer line. The cost shall be computed as follows: The actual cost to the city of the side sewer line, plus fifteen percent for city design and administrative costs, plus interest at a rate commensurate with the annual one-year rate for U.S. Treasury notes and bonds adjusted for constant maturities, as published in the Federal Reserve Bulletin or otherwise available from the Federal Reserve Bank, for the year the city sewer lines was or is completed and available for connection and applied until the connection is made, but excluding both the year of completion of construction and the year connection is made. (Ord. 1248 §2, 1999)

13.08.170 Warrant against water-sewer utility fund.

If any connection or any needed repair to an existing condition shall not be made within the time herein provided, the city council is authorized and directed to cause the same to be made and to file a statement of the costs thereof with the city clerk-treasurer, and thereupon a warrant shall be issued under the direction of the city council by the city clerk-treasurer and against the water-sewer utility fund for the payment of such cost. The amount of such cost, together with a penalty of fifty dollars, plus interest at ten percent per year upon the total amount of such costs and penalty shall be assessed against the property upon which the building or structure is situated and shall become a lien thereon as hereinafter provided. (Prior code §14.16.030)

13.08.180 Service rates and charges.

A. For purposes of this section, the following definitions shall apply:

1. "Residential users" is defined as a residential dwelling unit which dwelling unit has its own separate water meter and serves less than four units.
2. "Commercial user" is defined as any user which is not a residential user.

B. The monthly charges for public sewer service for a ~~commercial~~residential user inside the city limits shall be as follows:

1. Each ~~commercial~~residential user shall pay a base charge ~~from the chart below of thirty-one dollars and fifty cents~~ which includes the first one thousand cubic feet of water consumption.

2. In addition to the base charge, each ~~commercial~~residential user shall pay ~~one dollar and fortyseven cents (\$1.40)~~ per each one hundred cubic feet of water consumption over and above the first one thousand cubic feet of water consumption. This amount shall be based upon the average water consumption for the previous period between November 15th and March 15th. This average water consumption shall be used for billing purposes for each billing period from April 1st of one year to March 1st of the following year.

~~3. Residential user who does not establish an average monthly consumption during the period between November 15th and March 15th because of absence, nonownership or other such similar reason shall pay the sum of thirty-one dollars and fifty cents per unit per month until such time as the residential user establishes the average water consumption as set forth in subsection (B)(2) of this section.~~

C. ~~Commercial~~Residential Users Outside City Limits. The monthly charges for public sewer service for a ~~commercial~~residential user shall be as follows:

1. Each ~~commercial~~residential user shall pay a base charge ~~from the chart below of forty-seven dollars and twenty-five cents~~ which includes the first one thousand cubic feet of water consumption.

2. In addition to the base charge, each ~~commercial~~residential user shall pay one dollar and ~~forty cents (\$1.40)~~five cents per each one hundred cubic feet of water consumption over and above the first one thousand cubic feet of water consumption. This amount shall be based upon the average water consumption for the previous period between November 15th and March 15th. This average water consumption shall be used for billing purposes for each billing period from April 1st of one year to March 1st of the following year.

3. Multiple User Service Charge. Sewer customers with multiple dwellings, multiple motel units, mobile home parks, or RV parks may be served by a master meter, if authorized by the city, and shall be charged the minimum charge for one thousand cubic feet of water and shall, in addition, pay a minimum monthly charge for each of

such additional dwellings, motel units or cabins served through the meter see the chart below under Multiple User Service Charge.

D. Where commercial user's sewer charges cannot be determined under subsection B of this section because of the inability to meter water to determine domestic sewage use, then a determination of use of the domestic sewage shall be made as follows:

Monthly, the business shall report to the city the average number of full-time equivalent employees they employed the preceding month. The city shall make a determination of sewer use using equivalent residential units (ERU) discharge tables as published by the department of ecology, criteria for sewage works design. (Ord. 1479 §1(Exh. A)(part), 2017; Ord. 1345 §1(part), 2006; Ord. 1266 §2, 1999; Ord. 1190 (part), 1996; Ord. 1060 §§2, 3, 1990; Ord. 1037 §1, 1989; Ord. 1026 §1, 1988; prior code §14.16.040)

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~~3.—Residential user who does not establish an average monthly consumption during the period between November 15th and March 15th because of absence, non-ownership or other such similar reason shall pay the sum of forty-seven dollars and twenty-five cents per unit each month until such time as the residential user establishes the average water consumption as set forth in subsection (C)(2) of this section.~~

~~DE.~~ The monthly charges for public sewer service for ~~residential a-commercial~~ user inside the city limits shall be as follows:

1. Each ~~residential~~commercial user shall pay a base charge determined by the size of water meter as follows:

Sewer Rates Inside City limits Base Meter Charge					
Meter Size 2028	Year 2024	Year 2025	Year 2026	Year 2027	Year
¾ inch	\$55.80	\$65.29	\$76.38	\$83.26	\$90.75
1 inch	\$83.70	\$ 97.93	\$114.58	\$124.89	
\$136.13					
1 ½ inch	\$167.40	\$195.86	\$229.15	\$249.78	
\$272.26					
2 inch	\$279.00	\$326.43	\$381.92	\$416.30	
\$453.76					
3 inch	\$558.00	\$652.86	\$763.85	\$832.59	
\$907.53					
4 inch	\$837.00	\$979.29	\$1,145.77	\$1,248.89	
\$1,361.29					

2. Multiple User Service Charge. Sewer customers with multiple dwellings, multiple motel units, mobile home parks, or RV parks may be served by a master meter, if authorized by the city, and shall be charged the minimum charge for one thousand cubic feet of water and shall, in addition, pay a minimum monthly charge for each of such additional dwellings, motel units or cabins served through the meter as follows:

- | | | |
|----|--|--------------------|
| a. | For each additional dwelling a minimum charge for five hundred cubic feet of: | See Table
Below |
| b. | For each mobile home in a mobile home park a minimum charge for five hundred cubic feet of: | See Table
Below |
| c. | For each additional motel unit or hotel room or cabin a minimum charge for five hundred cubic feet of: | See Table
Below |
| d. | For each RV space of transient mobile unit space a minimum charge for five hundred cubic feet of: | See Table
Below |

	Year 2024	Year 2025	Year 2026	Year 2027	Year 2028
A	\$12.00	\$14.04	\$16.43	\$17.91	\$19.52
B	\$6.00	\$7.02	\$8.21	\$8.95	\$9.76
C	\$6.00	\$7.02	\$8.21	\$8.95	\$9.76
D	\$6.00	\$7.02	\$8.21	\$8.95	\$9.76

For each of the above, the coverage charge as set forth in subsection (D)(3) of this section shall apply.

~~3.—In addition to the base charge, each commercial user shall pay \$1.40 per each one hundred cubic feet of water consumption over and above the first one thousand cubic feet of water consumption.—This amount shall be based upon the average water consumption for the previous period between November 15th and March 15th. This average water consumption shall be used for billing purposes for each billing period from April 1st of one year to March 1st of the following year.~~

~~EE.~~ The monthly charges for public sewer service for a ~~residential~~ commercial user outside the city limits shall be as follows:

1. Each ~~residential~~ commercial user outside the city limits shall pay a base charge determined by the size of water meter as follows:

	Sewer Rates Outside City Limits Base Meter Charge				
Meter Size	Year 2024	Year 2025	Year 2026	Year 2027	Year 2028

¾ inch	\$83.70	\$97.93	\$114.58	\$124.89	\$136.13
1 inch	\$125.56	\$146.90	\$171.87	\$187.34	\$204.20
1 ½ inch	\$251.10	\$293.79	\$343.73	\$374.67	\$408.39
2 inch	\$418.50	\$489.65	\$572.88	\$624.44	\$680.64
3 inch	\$837.00	\$979.26	\$1,145.77	\$1,248.89	\$1,361.98
4 inch	\$1,254.30	\$1,467.53	\$1,717.01	\$1,871.54	\$2,039.98

~~F. Where commercial user's sewer charges cannot be determined under subsection B of this section because of the inability to meter water to determine domestic sewage use, then a determination of use of the domestic sewage shall be made as follows:~~

~~Monthly, the business shall report to the city the average number of full-time equivalent employees they employed the preceding month. The city shall make a determination of sewer use using equivalent residential units (ERU) discharge tables as published by the department of ecology, criteria for sewage works design. (Ord. 1479 §1(Exh. A)(part), 2017; Ord. 1345 §1(part), 2006; Ord. 1266 §2, 1999; Ord. 1190 (part), 1996; Ord. 1060 §§2, 3, 1990; Ord. 1037 §1, 1989; Ord. 1026 §1, 1988; prior code §14.16.040)~~

13.08.190 Deposit--Disconnection notice.

The city council shall have the right to demand a deposit of ten dollars to ensure the payment of sewer rentals as they become due, the deposit to be returned to the depositor when the service shall have been discontinued and when all accrued rentals have been paid. Five days' written notice must be given to the city clerk-treasurer before disconnection of service. (Prior code §14.16.050)

13.08.200 Rate revision.

The city council expressly reserves the right to change or revise the rates hereinafter provided for any action of the council duly entered in its minutes. (Prior code §14.16.060)

13.08.210 Sewer accounts.

The city clerk-treasurer shall keep the accounts of the sewer department funds. (Prior code §14.16.070)

13.08.220 Custodian of funds.

The city clerk-treasurer shall be custodian of the sewer department funds. (Prior code §14.16.080)

ARTICLE IV. IMPROVEMENTS

13.08.230 Improvement financing system.

The system of financing improvements, renewals, and extensions of city sanitary and storm sewers of the Goldendale sewer department shall be as follows in this chapter. (Prior code §14.20.010)

13.08.240 Temporary lines installation, maintenance.

No line shall be considered a lateral line in the distribution system which is smaller than a six-inch line. All lines smaller than six inches shall be considered temporary lines and shall be installed and maintained by the property owner, effective date of the ordinance codified herein. (Prior code §14.20.020)

13.08.250 Standard lateral line defined--Payment.

All lateral lines shall be paid for by local improvement assessments or cash payments to be levied upon the property benefited, subject to credits as set forth in this chapter. By the term "standard lateral line" is meant an eight-inch pipe line including manholes and wyes for service connections made to adjacent property. (Prior code §14.20.030)

13.08.260 Service mains--Sewer department ownership.

The ownership of all service mains and extensions thereof in public streets shall be vested solely in the Goldendale sewer department, and the person or persons responsible for the construction of such mains or extensions shall relinquish all interest in the ownership of such mains or extensions upon acceptance by the Goldendale sewer department. (Prior code §14.20.040)

13.08.270 Complete improvement--Depreciation rate.

Where lateral lines are in place and still giving service, and by reason of paving, it becomes necessary to replace them with a more durable or larger pipe, including all manholes, drains, and appurtenances to make a complete improvement, the cost of replacements up to and including eight-inch mains shall be paid by the improvement district or property owners and shall be credited therein the accrued depreciation of lines replaced. Depreciation shall be computed at a ten percent per year rate. (Prior code §14.20.050)

13.08.280 System improvement line defined--Construction expense.

All system improvement lines shall be paid for as hereinafter set forth. By "system improvement lines" is meant lines constructed for the purpose of improving the distribution system as a whole or in part and not used as a lateral; provided, however, that where lines used as feeders and also as laterals are installed, the expense of all construction related thereto shall be charged to the property. Whenever such a line is "replaced" as described in Sections [13.08.300](#) through [13.08.310](#), the property shall bear the cost. (Prior code §14.20.060)

13.08.290 Renewals defined--Expense responsibility.

Renewals of trunk lateral lines and standard trunk lateral lines shall be made at the expense of the sewer system. "Renewals" means the rebuilding of lines previously installed which have become useless through depreciation. (Prior code §14.20.070)

13.08.300 Replacement defined--Expense responsibility.

Replacements shall be made at the expense of the local improvement district or property owners causing the same. By "replacement" is meant the installation of new pipe, either feeder or lateral, or a change in level or service made necessary by construction of local improvements, such as paving, sidewalks, regaders, etc. (Prior code §14.20.080)

13.08.310 Replacement--Accrued depreciation credit.

There shall be credited upon the cost of such replacements of lateral lines the accrued depreciation of the line replaced, prorated to each lot in proportion to the amount paid by the lot upon the cost of the original lateral. (Prior code §14.20.090)

13.08.320 Sewer line maintenance.

The sewer department will maintain all sewer lines owned and operated by the city. (Prior code §14.20.100)

ARTICLE V. BUILDING SEWERS AND CONNECTIONS

13.08.330 Permit required.

No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the superintendent. (Prior code §14.24.010)

13.08.340 Classes of permits--Application.

There shall be two classes of building sewer permits:

A. For residential and commercial service; and

B. For service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the city. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the superintendent. (Prior code §14.24.020)

13.08.350 Cost responsibility.

All costs and expenses incident to the installation of the building sewer shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. (Prior code §14.24.030)

13.08.360 Separate required--Rear buildings.

A separate and independent building sewer shall be provided for every building; except, that where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer. (Prior code §14.24.040)

13.08.370 Old building sewers.

Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the superintendent, to meet all requirements of this title. (Prior code §14.24.050)

13.08.380 Construction standards generally.

The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe; jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply. (Prior code §14.24.060)

13.08.390 Elevation.

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer. (Prior code §14.24.070)

13.08.400 Runoff or groundwater connections.

No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer. (Prior code §14.24.080)

13.08.410 Connection standards.

The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city, or the procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the superintendent before installation. (Prior code §14.24.090)

13.08.420 Inspection--Supervised connection.

The applicant for the building sewer permit shall notify the superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the superintendent or his representative. (Prior code §14.24.100)

| 13.08.430 Excavations.

All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city. (Prior code §14.24.110)

| 13.08.440 Line depth.

All building sewer lines shall be installed and paid for by the property owner. All buildings sewer lines under dedicated street and alleys shall be installed at least thirty inches under the surface, and at least below frost line (twenty-four inches) from property line to building, unless authorized by the superintendent of the sewer department. (Prior code §14.28.010)

| 13.08.450 Defective line.

Water will not be furnished where there are any defective building sewer lines, when such may be discovered, the supply shall be withdrawn, and shall not be turned on again until the defect has been repaired and the charge and/or fines have been paid. (Prior code §14.28.020)

| 13.08.460 Service pipe--Size determination.

A. The superintendent of the sewer department shall determine the size of the tap to be inserted into any sewer main and the size of building sewer pipe under any application or permit.

B. No person or family served with sewer by the city will be permitted to use it for any purpose other than that stated in the application and shall not in any way supply other persons or families. (Prior code §14.32.010)

| 13.08.470 Service pipe--Additional service.

Should any applicant or occupant of premises desire an additional service or to have service supplied for a purpose not stated in the application, a new application must be made and a permit obtained at the office of the sewer department. When additional units are added and not reported, the same shall be charged at the rate for such time the unit has been in use up to and including the month in which the matter is brought to the attention of the sewer department. (Prior code §14.32.020)

ARTICLE VI. PUBLIC SEWER USE

| 13.08.480 Waste disposal.

It is unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner upon public or private property within the city, or in any area under the jurisdiction of the city, any human or animal excrement, garbage, or other objectionable waste. (Prior code §14.36.010)

| 13.08.490 Discharge of polluted waters.

It is unlawful to discharge to any natural outlet within the city any sanitary sewage, industrial waste, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter. (Prior code §14.36.020)

| 13.08.500 Sewage disposal facilities.

Except as hereinafter provided, it is unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage. (Prior code §14.36.030)

| 13.08.510 Toilet facilities.

The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purpose, situated within the city and abutting on any street, alley or right-of-way in which there is now located or may in the future be located, a public sanitary sewer of the city, is required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper sewer in accordance with the provisions of this title, within ninety days after date of official notice to do so, provided that said public sewer is within two hundred feet of the property line. (Prior code §14.36.040)

| 13.08.520 Unpolluted waters--Prohibited.

No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process water to any sanitary sewer. (Prior code §14.36.050)

| 13.08.530 Unpolluted waters--Proper discharge.

Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the superintendent. Industrial cooling water or unpolluted process waters may be discharged, on approval of the superintendent, to a storm sewer, combined sewer, or natural outlet. (Prior code §14.36.060)

| 13.08.540 Prohibited discharges.

No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- A. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas;

B. Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes to injure or interfere with any sewage treatment process, to constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two milligrams per liter as CN in the wastes as discharged to the public sewer;

C. Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works;

D. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, underground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders. (Prior code §14.36.070)

13.08.550 Restricted discharges--Designated.

No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the superintendent that such waters can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the superintendent will give consideration to such factors as to quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

A. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (sixty-five degrees Celsius);

B. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred milligrams per liter or containing substances which may solidify or become viscous at temperatures between thirty-two and one hundred fifty degrees Fahrenheit (zero and sixty-two degrees Celsius);

C. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three fourths horsepower (0.76 horsepower metric) or greater shall be subject to the review and approval of the superintendent;

D. Any waters or wastes containing strong acid iron-pickling wastes, or concentrated plating solutions whether neutralized or not;

E. Any water or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the superintendent for such materials.

F. Any waters or wastes containing phenols or other taste-producing or odor-producing substances, in such concentrations exceeding limits which may be established by the superintendent as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal, or other public agencies of jurisdiction for such discharge to the receiving waters;

G. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the superintendent in compliance with applicable state or federal regulations;

H. Any waters or wastes having pH in excess of 9.5;

I. Materials which exert or cause:

1. Unusual concentrations of inert suspended solids, (such as, but not limited to, fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate),
2. Excessive discoloration (such as, but not limited to, dye waste and vegetable tanning solutions),
3. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works,
4. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein;

J. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters. (Prior code §14.36.080)

13.08.560 Restricted discharges--Rejection--Treatment.

If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section [13.08.550](#), and which in the judgment of the superintendent may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the superintendent may:

- A. Reject the wastes;
- B. Require pretreatment to an acceptable condition for discharge to the public sewers;
- C. Require control over the quantities and rate of discharge; and/or
- D. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 13.08.600. If the superintendent permits the pretreatment or equalization of waste flows, the design and

installation of the plants and equipment shall be subject to the review and approval of the superintendent, and subject to the requirements of all applicable codes, ordinances and laws. (Prior code §14.36.090)

13.08.570 Interceptors.

Grease, oil and sand interceptors shall be provided when, in the opinion of the superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection. (Prior code §14.36.100)

13.08.580 Maintenance of required facilities.

Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense. (Prior code §14.36.110)

13.08.590 Control manhole.

When required by the superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the superintendent. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times. (Prior code §14.36.120)

13.08.600 Measurements, tests, analyses.

All measurements, tests, and analyses of the characteristics of water and wastes to which reference is made in Chapter [13.04](#) and this chapter shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association and shall be determined at the control manhole provided, or upon suitable samples taken at the control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property.

The particular analyses involved will determine whether a twenty-four-hour composite of all outfalls of a premises is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from twenty-four hour composites of all outfalls whereas pHs are determined from periodic grab samples. (Prior code §14.36.130)

13.08.610 Special agreements.

No statement contained in this chapter shall be construed as preventing any special agreement or arrangement between the city and any industrial concern whereby an industrial waste of unusual strength or character may be, accepted by the city for treatment, subject to payment therefor by the industrial concern. (Prior code §14.36.140)

13.08.620 Protection from damage.

No unauthorized person shall maliciously, wilfully or negligently break, damage, destroy, uncover, deface or tamper with any structures, apparatus, or equipment which is part of the municipal sewage works. Any persons violating this provision shall be subject to immediate arrest under charge of disorderly conduct. (Prior code §14.36.150)

13.08.630 Service discontinuance--Turn-on application.

Should it be desired to discontinue the use of sewer service supplied any premises, notice in writing shall be given to the city. The water shall then be shut off and upon proper application by the owner or agent, and payment in full of all arrearages, water shall be turned on again. (Prior code §14.44.010)

13.08.640 Service discontinuance--Nonliability.

A. The sewer department reserves the right to shut off or turn on the water from the mains at any time without notice, for repairs, extensions, or other necessary purposes without liability for damage.

B. The sewer department shall endeavor to notify customers, but shall not be responsible. (Prior code §14.48.010)

13.08.650 Protective devices--Expense.

A. The expense of tapping mains, making connections, testing completed work, and other protective devices that the superintendent may deem necessary to prevent the illegal use of the sewer; shall in all cases, be borne by the owner of the property benefited.

B. When grades are such that building sewer service lines may receive undue amounts of sewage, the property owner is responsible for taking measures to protect his property such as installing stop flow or check valves on his building sewer line and the city shall not be held liable. (Prior code §14.52.010)

ARTICLE VII. PRIVATE SEWAGE DISPOSAL

13.08.660 Compliance.

Where a public sanitary sewer is not available under the provisions of Section [13.08.510](#), the building sewer shall be connected to a private sewage disposal system complying with the provisions of this chapter. (Prior code §14.40.010)

13.08.670 Permit application--Fee.

Before commencement of construction of a private sewage disposal system the owner shall first obtain a written permit signed by the superintendent. The application for such permit shall be made on a form furnished by the city, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the superintendent or city sanitarian. A permit and inspection fee of five dollars shall be paid to the city clerk-treasurer at the time the application is filed. (Prior code §14.40.020)

13.08.680 Permit effective when--Inspection.

A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the superintendent or city sanitarian. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the superintendent or sanitarian when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within forty-eight hours of the receipt of notice by the superintendent or sanitarian. (Prior code §14.40.030)

13.08.690 Type--Location--Layout.

The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the Department of Public Health of the state and city plumbing codes. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities, where the area of the lot is less than ten thousand square feet. No septic tank or cesspool shall be permitted to discharge to any public sewer or natural outlet. (Prior code §14.40.040)

13.08.700 Direct connection to public sewer.

At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section [13.08.510](#), a direct connection shall be made to the public sewer in compliance with this title, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material. (Prior code §14.40.050)

13.08.710 Public-sewer connection deadline.

When a public sewer becomes available, the building sewer shall be connected to the sewer within sixty days and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt. (Prior code §14.40.055)

13.08.720 Owner responsibility.

The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times at no expense to the city. (Prior code §14.40.060)

13.08.730 Article limitations.

No statement contained in this chapter shall be construed to interfere with any additional requirements that may be imposed by the health officer. (Prior code §14.40.070)

ARTICLE VIII. VIOLATIONS--PENALTIES

13.08.740 Charges to be lien.

All charges for connections and for sewage service provided for in Chapter 13.04 and this chapter, together with penalties and interest thereon, shall be a lien upon the property with which such connection is made or sewage service rendered respectively, superior to all other liens and encumbrances whatsoever except for general taxes and local special assessments. The city clerk-treasurer is authorized and directed, prior to the expiration of six months from the first day of the first month for which such charges were unpaid to certify to the auditor of Klickitat County all of such charges as a lien upon such property in the manner provided for in Chapter 193 of the Session Laws of Washington of 1941, and such property shall be subject to forfeiture pursuant to the terms of said chapter.

The property owner, for any units as described in Chapter 13.04 and this chapter shall be responsible for any sewer service rendered by the city. (Prior code §14.64.010)

13.08.750 Notice of delinquent account.

A. All utility bills of the city shall be delinquent if payment therefor is not received by the city on or before the twenty-fifth day of each even month after the current charges are posted on the bill. Such current charges' date shall be stated on the bill with particularity.

B. Upon lapse of a bill into delinquency, the billing clerk, or his designee, shall as soon as practicable cause a notice of delinquent account to be deposited in the United States mail, addressed to the owner of the property which is delinquent.

C. Deposit in the United States mail pursuant to subsection B of this section shall be deemed full and complete notice to the owner and consumer of the nature and amount of any particular utility billing.

D. The notice of delinquent account shall state that unless all delinquencies are corrected within ten days of the date of the notice of delinquent account, the city will disconnect or discontinue utility service without further notice or after a date certain to be stated in the notice of delinquent account. The notice of delinquent account shall further state that, if the customer has questions concerning the account or disputes the amount of the account, he may appeal to the clerk-treasurer, or his authorized designee, whose address and telephone number shall be stated on the notice of delinquent account.

E. Upon request the clerk-treasurer or designee shall be allowed to work out delinquent account payment arrangements or adjustments, including water/sewer charges, the delinquent penalty charge, pursuant to subsection F of this section, and turn on charges, pursuant to Section 13.04.070(A). One delinquency balance arrangement will be allowed in any one-year period. Customers will be allowed to carry a balance of twenty-five dollars or less without penalty.

F. An account which has become delinquent may be assessed a penalty of five dollars. (Ord. 1451 §1, 2015: Ord. 1322 §§1, 2(part), 2004)

13.08.760 Disconnection of utility service.

A. Should a delinquent account not be paid pursuant to Section [13.08.750](#), the clerk-treasurer or his designee shall immediately cause the ~~sewerwater~~ service to be cut off from the premises, and such utility service shall not be reconnected to the premises until all arrears, delinquent charges, service charges and unpaid charges are paid.

B. Service charges for reconnection will be fifty dollars. (Ord. 1322 §§1, 2(part), 2004)

13.08.770 Violation--Correction notice.

Any person found to be violating any provision of this title except Section [13.08.620](#) shall be served by the city with a written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. (Prior code §14.64.030)

13.08.780 Time limit violation deemed misdemeanor.

Any person who continues any violation beyond the time limit provided for in Section [13.08.750](#) shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined in an amount not to exceed two hundred dollars for each

violation. Each day in which any violation continues shall be deemed a separate offense. (Prior code §14.64.040)

13.08.790 Violator liability.

Any person violating any of the provisions of this title shall become liable to the city for any expense, loss or damage occasioned the city by reasons of such violation.