ORDINANCE NO. 2018-07

AN ORDINANCE AMENDING BATTLE GROUND MUNICIPAL CODE TITLE 13 WATER AND SEWERS CHAPTER 13.110 WATER SERVICE-CONNECTION AND CHAPTER 13.120 WESER SYSTEM-CONNECTION.

WHEREAS, the City of Battle Ground Municipal Code is a document containing 20 Titles and multiple Chapters and is codified by the adoption of ordinances and published in a code book by Book Publishing Company; and

WHEREAS, annually the City Staff reviews the City of Battle Ground Municipal Code for items needing to be updated or improved for presentation to the City Council; and

WHEREAS, the City of Battle Ground, Washington is the utility purveyor for water and sewer to its residents; and

WHEREAS, the City Council of the City of Battle Ground held a public hearing on the 21st day of May 2018 for the purpose for allowing citizens of the City of Battle Ground to comment on changes; and

WHEREAS, the City of Battle Ground applied for expedited review from Washington State Department of Commerce and was granted expedited review on April 23, 2018; and

WHEREAS, the City Council of City of Battle Ground has reviewed the proposed changes;

NOW THEREFORE BE IT ordained by the City Council of the City of Battle Ground, Washington as follows:

SECTION 1. TITLE 13 WATER AND SEWERS CHAPTER 13.110 WATER SERVICE-CONNECTION

13.110.060 Water improvements-Accepted by the City.
Water improvements will be accepted for provisional maintenance by the city upon recommendation of the city engineer; provided, prior to such acceptance, bonding shall be provided per BGMC 15.136.060. Final acceptance will be made within two years of the date of provisional acceptance when, in the city engineer’s opinion, all specifications have been fully met. The owner and/or his contractor and the utilities must repair any failure within a period specified by the city engineer at the expense of the owner or his contractor or the utilities responsible. (Ord. 17-07 § 1 (part), 2017: Ord. 15-04 § 14, 2015)

13.110.070 Easements.
Easements shall be provided pursuant to BGMC 15.136.080.

SECTION 2. TITLE 13 WATER AND SEWERS CHAPTER 13.120 SEWER SYSTEM-CONNECTION

13.120.060 Sewer Improvements- Accepted by the city.
Sewer improvements will be accepted for provisional maintenance by the city upon recommendation of the city engineer; provided, prior to such acceptance, bonding shall be provided per BGMC 15.136.060. Final acceptance will be made within two years of the date of provisional acceptance when, in the city engineer’s opinion, all specifications have been fully met. The owner and/or his contractor and the utilities must repair any
failure within a period specified by the city engineer at the expense of the owner or his contractor or the utilities responsible. (Ord. 17-07 § 2 (part), 2017: Ord. 15-04 § 15 (part), 2015)

13.120.070 Easements.

Easements shall be provided pursuant to BGMC 15.136.080.

SECTION 3. SEVERABILITY If any section, sentence, clause or phrase of this ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

SECTION 4. REGULATORY CONFLICTS All other Ordinances and parts of other Ordinances inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of the inconsistency or conflict.

SECTION 5. CORRECTIONS. The City Clerk and the codifiers of this ordinance are authorized to make necessary clerical corrections to this ordinance including, but not limited to, the correction of scrivener’s/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

SECTION 6. EFFECTIVE DATE. This ordinance shall be in full force and effective thirty (30) days from the passage and published in accordance with law.


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Mike Dalesandro, Mayor

Attested to by:                       Approved as to form:

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Kay Kammer, City Clerk             Chris Horne, Interim City Attorney