

1 January 18, 1995

Introduced by: Pullen

2
3 BT:jl

Proposed No.: 95-30

4
5
6 **11664**

7 ORDINANCE NO.

8
9 AN ORDINANCE extending sewer system Franchise
10 No. 600 for the City of Enumclaw until
11 December 31, 1995, authorizing the issuance
12 of right-of-way construction permits, and
13 declaring an emergency.

14
15 1. The City of Enumclaw Franchise No. 600, to operate and
16 maintain a sewer system on county road right of way, has
17 expired.

18
19 2. On November 17, 1994 the King County health department,
20 environmental health division notified Warren Lokovsek, the
21 owner of property located at 44903 284 Avenue Southeast, that
22 his septic system was discharging into the surface of the
23 ground and represented a public health risk.

24
25 3. Since Mr. Lokovsek operates a day care center from his
26 residence, the health department is concerned about the public
27 health risk associated with the operation of the center with a
28 failing septic system.

29
30 4. The health department strongly encourages that this
31 residence be connected to the City of Enumclaw's sanitary sewer
32 main running along 284th Avenue Southeast to eliminate the
33 potential public health risks to the day care center and
34 neighboring properties.

35
36 5. Warren Lokovsek has asked to connect to the City of
37 Enumclaw's six-inch sewer main at the intersection of Southeast
38 449th Street and 284th Avenue Southeast.

39
40 6. While the City of Enumclaw does not encourage or support
41 sewer service outside its corporate boundary due to the
42 capacity limit of their sewer treatment plant, and the cost
43 associated with the development of a new system, under City of
44 Enumclaw Ordinance No. 1794, the City will allow new sewer
45 service connections for septic tank failures that have occurred
46 immediately outside the city limits that may cause health
47 hazards to residences within the city limits.

48
49 7. The City of Enumclaw has agreed to provide sanitary
50 sewer to this residence, but with the expiration of Sewer
51 Franchise No. 600, they will be unable to obtain the necessary
52 right of way construction permit to perform the service line
53 connection in unincorporated King County.

54
55 8. The City of Enumclaw anticipates that it will submit its
56 Sewer Comprehensive Plan for county approval in 1995.
57

1 9. The King County utilities technical review committee
2 recommends that the franchise be extended for one year for this
3 purpose, and to allow the City of Enumclaw the time needed to
4 submit and obtain approval of their sewer comprehensive plan
5 from King County.
6

7 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

8 SECTION 1. Notwithstanding any provision of K.C.C. 13.24
9 to the contrary, the King County executive is hereby authorized
10 to grant an extension of Sewer Franchise No. 600 for the City
11 of Enumclaw until December 31, 1995 in substantially the same
12 form as Attachment "A." Notwithstanding any provision of
13 K.C.C. 14.44 to the contrary, the executive is also authorized
14 to issue right-of-way construction permits necessary to address
15 public health risks consistent with the terms of this extended
16 franchise.

1 SECTION 2. The King County council finds as a fact and
 2 declares an emergency exists, and that this ordinance is
 3 necessary for the immediate preservation of public peace,
 4 health, and safety, or for the support of county government and
 5 its existing public institutions.

6 INTRODUCED AND READ for the first time this 17th
 7 day of January, 19 95.

8 PASSED by a vote of 13 to 0
 9 this 23rd day of January, 19 95.

10 KING COUNTY, COUNCIL
 11 KING COUNTY, WASHINGTON

12
 13 Kent Pullen
 14 Chair
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16
 17 ATTEST:
 18
 19 Gerald G. Peterson
 20 Clerk of the Council

21 APPROVED this 1st day of February, 1995.
 22
 23 Ray Lohr
 24 King County Executive
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 30 Attachments:
 31 A. Extension Agreement

FRANCHISE EXTENSION AGREEMENT RECITALS

WHEREAS, the City of Enumclaw Franchise No. 600 to construct, operate, and maintain a sewer system in County right of way expired, and

WHEREAS, the City of Enumclaw requested and the King County Utilities Technical Review Committee recommends that the said franchise be extended until December 31, 1995 to give the City the opportunity to obtain the necessary right of way construction permits to connect the residence sewage disposal system to sanitary sewer and give the City the time to obtain approval of its sewer franchise, and

WHEREAS, King County has approved the extension of this franchise until December 31, 1995 through the passage of Ordinance No. _____, subject to conditions contained in the Ordinance Agreement;

NOW, THEREFORE, King County, Washington, and the City of Enumclaw, Washington, agree to the following:

- 1. The term of King County Sewer Franchise No. 600 is hereby extended so that it will expire on December 31, 1995.
- 2. All other conditions of King County Sewer Franchise No. 600 shall remain in force and affect, and is not modified or amended by this Agreement or Ordinance No. _____.

THIS AGREEMENT entered into this _____ day of _____, 19_____.

CITY OF ENUMCLAW, WASHINGTON

KING COUNTY, WASHINGTON

BY: _____

BY: _____

TITLE: _____

TITLE: _____

DATE: _____

DATE: _____

APPROVED AS TO FORM:

BY: _____

DATE: _____