

Jefferson County
Board of Commissioners
Agenda Request

To: Board of Commissioners
Mark McCauley, County Administrator

From: Monte Reinders, P.E., Public Works Director/County Engineer 

Agenda Date: June 24, 2024

Subject: Sewer Utility Code for the Irondale and Port Hadlock Urban Growth Area
Chapters 13.01 through 13.09 of the Jefferson County Code

Statement of Issue:

Public Works staff will brief the County Commissioners regarding the proposed Jefferson County Sewer Utility Code for the Irondale and Port Hadlock Urban Growth Area (PHUGA) Chapters 13.01 through 13.09. Today's discussion will provide a general overview of the code sections, propose a schedule for more in-depth Board workshops of certain sections of the code, and seek input from the Board regarding public outreach and final adoption of the sewer code.

Analysis/Strategic Goals/Pro's & Con's:

The Port Hadlock Urban Growth Area Wastewater Treatment System (PHUGA Sewer System) has been discussed and considered for multiple years. There are many components that go into the creation of a new utility. The design and construction of the wastewater treatment plant, low pressure sewer collection system, and on-site grinder pump connections are in progress. In addition to the design and construction of the PHUGA Sewer System, County staff has created the proposed Sewer Utility Code.

In general, the sewer code includes the following sections:

- Establishment of a Sewer Utility
- Definitions
- Authority and partnerships
- Connection requirements
- Proposed sewer monthly rates, charges, fees, and low-income discounts
- Sewage discharge standards and restrictions
- Processes, such as enforcement, latecomer agreements, appeals

The table of contents of the sewer utility code is included as an attachment to this agenda request.

There has been an enormous amount of work to create the current draft of the sewer utility code. The code was created by researching multiple jurisdictions' sewer codes (county codes, city codes and public utility codes) and using parts of these sewer codes which best fit the PHUGA. In addition, financial analysis of various sewer charges, fees, and rates was performed throughout the sewer utility code development. Once a draft code was created, County staff began "ground truthing" the research and financial analysis through public outreach. Staff met individually with many PHUGA community property owners and stakeholders in order to address the specific needs of this community and obtain

feedback. Outreach included meetings with individual property owners to review parts of the proposed sewer code language, specifically the connection policy; check in meetings with county commissioners; meetings with non-profit agencies (Habitat for Humanity, Peninsula Housing Authority, OlyCAP, and Bayside Housing) to discuss low-income rate programs and obtain feedback; and meetings with the PUD No. 1 of Jefferson County (JPUD) on administering low-income programs and billing.

The County's legal team has reviewed the code and made many improvements through multiple rounds of revisions.

Staff would like to propose the following road map for adoption the final sewer utility code

- July 2024 – Workshop or Special Meeting of the Board of County Commissioners to review the Sewer Utility Code Connection Policy (13.04)
- July/August 2024 – Workshop or Special Meeting of the Board of County Commissioners to review the Sewer Utility Code – Sewer Rates, Charges and Fees including Low Income Program (13.05 and Fee Schedule Appendix)
- August 2024 – Workshop or Special Meeting of the Board of County Commissioners for remaining sections of code and follow up from prior meetings.
- September 2024 –Sewer Utility Code – Public Hearing
- September 2024 - Follow up Public Hearing (if needed). Potential adoption.

Fiscal Impact/Cost Benefit Analysis:

Today's briefing has no fiscal impact. Future adoption of this code will impose charges for sewer service that will be used to operate the sewer utility. The County and Port Hadlock community has been fortunate to receive unprecedented amounts of State and Federal grant funds to construct this sewer; however, user charges will be required to fund utility operations.

Recommendation:

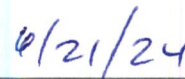
Today's discussion will be an opportunity for the Board to engage with staff on a broad overview of the draft sewer utility code as well as the path to its ultimate adoption.

Department Contact: Samantha Harper, P.E., Wastewater Project Manager, ext. 175.

Reviewed By:



Mark McCauley, County Administrator



Date

Table of Contents

Chapter 13.01 General Provisions

Sections:

- 13.01.010 Port Hadlock UGA sewer utility created.
- 13.01.020 Purpose.
- 13.01.030 Construction and Severability.
- 13.01.040 Minimum requirements and conflict of provisions.
- 13.01.050 Responsibilities of the sewer utility.
- 13.01.060 County not liable for damages.

Chapter 13.02 Definitions

Sections:

- 13.02.005 Interpretation of terms- general rules.
- 13.02.010 "A" definitions.
- 13.02.020 "B" definitions.
- 13.02.030 "C" definitions.
- 13.02.040 "D" definitions.
- 13.02.050 "E" definitions.
- 13.02.060 "F" definitions.
- 13.02.070 "G" definitions.
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- 13.02.090 "I" definitions.
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- 13.02.110 "K" definitions.
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- 13.02.130 "M" definitions.
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- 13.02.180 "R" definitions.
- 13.02.190 "S" definitions.
- 13.02.200 "T" definitions.
- 13.02.210 "U" definitions.
- 13.02.220 "V" definitions.
- 13.02.230 "W" definitions.
- 13.02.240 "X" definitions.
- 13.02.250 "Y" definitions.
- 13.02.260 "Z" definitions.

Chapter 13.03 Authority and Relationship to Plans

Sections:

- 13.03.010 Authority.
- 13.03.020 Technical standards and specifications incorporated by reference.

Chapter 13.04 Connection to PHUGA Sewer System

Sections:

- 13.04.010 Connection-when required or permitted.
- 13.04.020 Mobile home park requirements.
- 13.04.030 PHUGA sewer system extension.
- 13.04.040 Sewer connection permit required for connection.
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- 13.05.010 Establishment of PHUGA sewer system customer charges.
- 13.05.020 Annual fee adjustment.
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- 13.05.040 Billing methodology.
- 13.05.050 Determination of monthly user charges.
- 13.05.060 High-strength wastewater charge.
- 13.05.070 System development charge.
- 13.05.075 Waiver or deferral of system development charge (“SDC”) for low-income housing.
- 13.05.080 Other charges.
- 13.05.090 Special assessments.
- 13.05.100 Delinquent payment – interest and liens.
- 13.05.110 Periodic Fee Review.

Chapter 13.06 Discharge Restrictions, Pretreatment Requirement, and Prohibited Waste Discharge Permits

Sections:

- 13.06.010 Industrial and commercial pretreatment of discharge required.
- 13.06.020 Discharge limitations.
- 13.06.025 Grease traps and grease interceptors.
- 13.06.030 Pretreatment requirements.
- 13.06.035 Standards and conditions for discharge of industrial wastewater, chemicals of concern, or prohibited wastes.
- 13.06.040 Inspection to ascertain character of wastewater.
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Chapter 13.07 Enforcement and Remedies for Misuse of PHUGA Sewer System

Sections:

- 13.07.010 Violations and remedies.

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- 13.08.010 Authority and purpose.
- 13.08.020 Applicability.
- 13.08.030 Application – contents and requirements.
- 13.08.040 Review and approval of application for utility system improvement.
- 13.08.050 Preliminary determination.
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- 13.08.080 Execution, notice, and recording.
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- 13.08.100 Defective work.
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- 13.08.120 Segregation.
- 13.08.130 Term of latecomer agreements.
- 13.08.140 County fees.
- 13.08.150 Appeal.
- 13.08.160 Enforcement of latecomer obligations.
- 13.08.170 County participation authorized.
- 13.08.180 Interpretation and consistency with state law.

Chapter 13.09 APPEALS

Sections:

- 13.09.010 Applicability.
- 13.09.015 Appeal procedures in this Chapter to be supplemented by Title [19](#) JCC.
- 13.09.020 Appeal and administrative hearing officer.
- 13.09.030 Service of administrative hearing notice.
- 13.09.040 Administrative hearing procedure.
- 13.09.050 Administrative hearing decision.
- 13.09.060 Issuance of administrative hearing decision.
- 13.09.070 Appeal to the hearing examiner.
- 13.09.080 Hearing examiner appeal procedure, decision, payment of costs, and judicial review.
- 13.09.090 Final decision.