Ordinance No. 3400

["Beginning July 1, 1998"]

(Amending or Repealing Ordinances)

Amended by Ord. 3690 (Sec. 7.05.074 & 7.07.114)
AN ORDINANCE of the City Council of the City of Kent, Washington, adding new sections to Chapters 7.05 and 7.07 of the Kent City Code to require that storm and surface water systems comply with City construction standards and to provide authority to allow for inspection and to require maintenance and correction of defects in those systems.

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Add the following new section to Chapter 7.05 of the Kent City Code:

Sec. 7.05.074. Construction Standards. All storm and surface water systems, whether public or private, shall be installed in strict accordance with specifications contained in any existing city ordinance or code and any construction standards or uniform codes that the city either has adopted or adopts in the future. All construction and maintenance of those systems shall be subject to the inspection by the director or his or her designee.

SECTION 2. Add the following new section to Chapter 7.05 of the Kent City Code:

Sec. 7.05.077. Storm drainage system construction must comply with
chapter. When any storm and surface water system, whether upon private property or upon the city’s right-of-way, is constructed, laid, connected or repaired and does not comply with the provisions of this chapter or any construction standards or codes that may be adopted in the future, or where the director determines that a storm and surface water system is obstructed, broken or inadequate and is a menace to health, or is liable to cause damage to public or private property, the director shall give notice of that condition to the owner, agent or occupant of the property in which the condition exists. If the owner, agent or occupant refuses to construct, relay, reconstruct or remove the obstruction from the storm and surface water system within the time specified in that notice, the director may perform all necessary work to comply with this chapter. The cost of that work will be assessed against the property or collected from the person responsible for the condition, and the total amount thereof shall become a lien upon the property. The city attorney is authorized, empowered and directed to collect that cost, either by foreclosure of the lien or by a suit against the owner, agent, occupant or other person responsible for the condition on the property. The suit shall be maintained in the name of the city in any court of competent jurisdiction.

SECTION 3. Add the following new section to Chapter 7.07 of the Kent City Code:

Sec. 7.07.114. Construction Standards. All surface water and storm drainage systems, whether public or private, shall be installed in strict accordance with specifications contained in any existing city ordinance or code and any construction standards or uniform codes that the city either has adopted or adopts in the future. All construction and maintenance of those systems shall be subject to the inspection by the director or his or her designee.

SECTION 4. Add the following new section to Chapter 7.07 of the Kent City Code:

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Sec. 7.07.117. Storm drainage system construction must comply with chapter. When any surface water or storm drainage facility, whether upon private property or upon the city's right-of-way, is constructed, laid, connected or repaired and does not comply with the provisions of this chapter or any construction standards or codes that may be adopted in the future, or where the director determines that a surface water or storm drainage facility is obstructed, broken or inadequate and is a menace to health, or is liable to cause damage to public or private property, the director shall give notice of that condition to the owner, agent or occupant of the property in which the condition exists. If the owner, agent or occupant refuses to construct, relay, reconstruct or remove the obstruction from the surface water or storm drainage facility within the time specified in that notice, the director may perform all necessary work to comply with this chapter. The cost of that work will be assessed against the property or collected from the person responsible for the condition, and the total amount thereof shall become a lien upon the property. The city attorney is authorized, empowered and directed to collect that cost, either by foreclosure of the lien or by a suit against the owner, agent, occupant or other person responsible for the condition on the property. The suit shall be maintained in the name of the city in any court of competent jurisdiction.

SECTION 5. - Severability. If any one or more sections, subsections, or sentences of this Ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Ordinance and the same shall remain in full force and effect.

SECTION 6. - Effective Date. This Ordinance shall take effect and be in force thirty (30) days from the time of its final approval and passage as provided by law.

JIM WHITE, MAYOR
ATTEST:

Brenda Jacober
BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED: 21 day of April, 1998.
APPROVED: 22 day of April, 1998.
PUBLISHED: 24 day of April, 1998.

I hereby certify that this is a true copy of Ordinance No. 3400, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

Brenda Jacober (SEAL)
BRENDA JACOBER, CITY CLERK