AN ORDINANCE of the City Council of the City of Kent, Washington, amending Chapter 7.06 of the Kent City Code, entitled, “Combined Sewer and Storm Surface Water Utility.”

RECITALS

A. On August 4, 1987, the City adopted Chapter 7.06 (formerly KCC 7.03) of the Kent City Code.

B. Changes to state law require amendments to be made to the current code to update references to state law.

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

ORDINANCE

SECTION 1. - Amendment. Section 7.06 of the Kent City Code is amended to updated references to state law.

Sec. 7.06.010 Established. The city is—maintaining and operating a sanitary sewage collection and disposal system, Ch. 7.04

Amend KCC 7.06
Ordinance
KCC, and a storm and surface water utility, Ch. 7.05 KCC, pursuant to the provisions of RCW 35A.80.010, 35A.21.150, and Chapters 35.67 and 35.92, RCW 35.67.020, 35.92.020 and 35A.80.010. Pursuant to the provisions of RCW 35.67.020, In accordance with this authority, the sanitary sewage collection and disposal system of the city and the storm and surface water utility, together with all additions, extensions and betterments thereof at any time made, are hereby combined into a single utility, provided that separate accounts be maintained pursuant to RCW 43.09.210, provided the accounting procedure for each system shall be kept separate as required by RCW 35.37.010. The combined sanitary sewage collection and disposal system of the city and the storm and surface water utility, together with all additions, extensions and betterments thereof at any time made, shall hereinafter be called system of sewerage.

Sec. 7.06.020 Management of combined utility property – restricted use – Penalties. The director of public works or designee is hereby authorized to post combined utility properties, including rights-of-way, easements and appurtenant facilities, with appropriate “no trespassing” or other restrictive signs as determined by the director to be necessary to protect such property and facilities from damage or unpermitted use. The director or designee is authorized to post “no trespassing” signs or any other signs in a conspicuous manner which are capable of being readily viewed and understood by the public to prohibit use by any person, including the use of motorized or nonmotorized vehicle on such properties. “Motor vehicle” for purposes of this section is that definition as provided in RCW 46.04.320. “Vehicle” for purposes of this section is that definition as provided in RCW 46.04.670. Every person who enters or remains on any city-combined utility property where notice against such use or trespass has been given by the city through such
posting "no trespassing" or other similar signs is punishable as criminal trespass and is subject to the criminal penalties provided in KCC 9.02.56RCW 9A.52.080.

SECTION 2. - Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; ordinance, section, or subsection numbering; or references to other local, state or federal laws, codes, rules, or regulations.

SECTION 3. - Severability. If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, that decision shall not affect the validity of the remaining portion of this ordinance and that remaining portion shall maintain its full force and effect.

SECTION 4. - Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage and publication, as provided by law.

SUZETTE Cooke, MAYOR

ATTEST:

BRENDA JACOBER, CITY CLERK
APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY

PASSED: 3 day of April, 2012.
APPROVED: 3 day of April, 2012.
PUBLISHED: 6 day of April, 2012.

I hereby certify that this is a true copy of Ordinance No. 4032 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, CITY CLERK

(PLEASE SIGN)

Amend KCC 7.06
Ordinance