

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, RELATING TO
WASTEWATER; AND AMENDING SECTION 13.08.090 OF THE OLYMPIA
MUNICIPAL CODE**

WHEREAS, approximately 1,900 septic tank effluent pumping (S.T.E.P.) systems are located within the City of Olympia and its Urban Growth Area; and

WHEREAS, in 2007, the City restricted the development of properties with S.T.E.P. systems to properties adjacent to existing S.T.E.P. sewer mains and properties vested for development with S.T.E.P. systems; and

WHEREAS, the 2013 Wastewater Management Plan (the 2013 Plan) anticipated limited modifications of current regulations to allow limited development with S.T.E.P. systems; and

WHEREAS, there are numerous properties within the City of Olympia and its Urban Growth Area for which development is unfeasible without the extension of a S.T.E.P. sewer main; and

WHEREAS, a goal of the City's Comprehensive Plan is to encourage infill development where possible; and

WHEREAS, unrestricted development with S.T.E.P. systems is not desirable due to increased operations and maintenance costs associated with S.T.E.P. systems; and

WHEREAS, the Olympia Planning Commission held a public hearing on September 25, 2017, to receive public comment on proposed amendments to the City's current wastewater regulations regarding S.T.E.P. systems, received written comments through September 29, 2017, and voted unanimously on October 2, 2017, to recommend approval of the amendments to the City Council; and

WHEREAS, the City Council determines it to be in the best interest of the City of Olympia to amend the current wastewater regulations regarding S.T.E.P. systems;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:

Section 1. Amendment of OMC 13.08.090. Olympia Municipal Code 13.08.090 is hereby amended to read as follows:

The City of Olympia permits only gravity sewer systems, with lift stations when needed, except as follows:

A. New onsite sewage systems shall be permitted within the city limits only to serve a single-family residence or a single-family residence with an accessory dwelling unit, provided:

1. The property being served is an undeveloped lot of record located more than two hundred (200) feet from an available sewer, as determined by the Public Works Director or his/her designee, and the lot is either larger than one (1) acre or is granted an exception to the lot size requirement under Section 5 below; and

2. Permitted onsite sewage systems shall be considered interim facilities and must be designed and constructed to facilitate conversion to the public sewer when sewer becomes available; and

3. Onsite sewage systems for new development within the shoreline jurisdiction, as defined in the Shoreline Master Program, are prohibited, regardless of lot size; and

4. The lot size determination shall include only those portions of a lot unencumbered by streams and important riparian areas, wetlands and small lakes, landslide hazard areas, and their associated buffers as defined in OMC 18.32.

5. Exceptions to the one acre minimum lot size will be considered by the Public Works Director or his/her designee when application is made in writing to the Public Works Director. Application shall be made on forms provided by the City. New onsite sewage systems for undeveloped lots of record smaller than one (1) acre will be evaluated using the following criteria:

a. New onsite sewage systems shall not be permitted on lots located within an area at high risk for onsite septic systems, nor within a marine recovery area, nor within a shellfish protection area, as determined by input from Thurston County Environmental Health; and

b. New onsite sewage systems shall only be permitted on lots served by public water service; and

c. New onsite sewage systems shall not be permitted within two hundred (200) feet of an available sewer as defined in OMC 13.08.020; and

d. New onsite sewage systems shall not be permitted on lots smaller than 12,500 square feet.

6. Each property owner constructing a new residence with a new onsite sewage system located within the Urban Growth Boundary, including those within the city limits, shall enter into an Agreement for Interim Onsite Sewage System with the City, agreeing to connect the residence directly to the public sewer in accordance with the provisions herein within one (1) year after the date of official notice to connect; provided, that an available sewer is within two hundred (200) feet of the property. In addition, the following shall apply to new onsite sewage systems:

a. Recording fees shall be paid upon the submittal of a signed Agreement for Interim Onsite Sewage System; and

b. Following execution, the agreement shall be recorded by the City in the records of the Thurston County Auditor; and

c. Said agreement shall terminate if at any time any project application or approval expires or is revoked for any reason; and

d. Any cost of sewer extension required at the time of connection shall be borne in whole by the property owner.

B. New septic tank effluent pump (S.T.E.P.) systems shall be permitted provided a gravity sewer is not available to the property as defined in OMC 13.08.020, and:

1. The property being served is a lot of record existing prior to February 15, 2005, abutting on any street, alley, right-of-way or easement in which there is now located a S.T.E.P. force main; or

2. The property is located within a subdivision vested as of July 2005, in accordance with OMC Section 18.72.060, Determination of Complete Application, or:

3. The property was created through a short plat after April 30, 2018, from a property abutting on any street, alley, right-of-way or easement in which there is now located a S.T.E.P. force main. Only one short plat per property in existence on April 30, 2018, shall be eligible for S.T.E.P. sewer connection. No further short plat shall be allowed until gravity sewer is available to the property, or

4. The property is abutting on any street, alley, right-of-way or easement in which a S.T.E.P. force main was extended as part of the Septic to Sewer program as per OMC 13.08.215.

C. Grinder pump sewer systems shall not be installed and used in lieu of the orderly extension of gravity sewers. Grinder pump installation and use shall be subject to the following requirements and/or limitations:

1. New individual grinder pump system use is limited where:

a. A public gravity sewer is contiguous to the property, but terrain, natural features, or other physical barriers prohibit a gravity connection; or

b. For the conversion of onsite sewage systems to public sewer or for infill development only where it is specifically determined by the City Engineer to be in the best interest of the City of Olympia.

2. Grinder pumps and side sewers which are installed as part of a grinder pump sewer system shall be purchased, owned, maintained and operated by the property owner.

3. Grinder pump force mains receiving effluent from more than one property shall be publicly owned and maintained. Publicly-owned grinder pump force mains shall be permitted only where the City Engineer determines it to be in the best interest of the City and construction of a gravity and lift station sewer system is not feasible, provided that:

a. The proponent of the grinder pump force mains can demonstrate that no other feasible alternative is available; and

b. In such cases, the cost of installation of the public grinder pump force mains shall be borne by the proponent; and

c. The installation is in accordance with the Olympia Engineering Design and Development Standards.

4. Grinder pump side sewers and force mains shall not be permitted to discharge to designated Septic Tank Effluent Pump (S.T.E.P.) force mains unless it is determined by the City Engineer or his/her designee to be in the best interest of the City.

Section 2. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or application of the provisions to other persons or circumstances shall remain unaffected.

Section 3. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 4. Effective Date. This Ordinance shall take effect thirty (30) days after publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED: