

ORDINANCE NO. 2552

AN ORDINANCE AMENDING CHAPTER 13.01 OF THE MOSES LAKE MUNICIPAL CODE ENTITLED "STORMWATER GENERAL PROVISIONS"

THE CITY COUNCIL OF THE CITY OF MOSES LAKE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Chapter 13.01 of the Moses Lake Municipal Code entitled "Stormwater General Provisions" is amended as follows:

13.01.040 Definitions: The following terms, when used in this Title, shall have the following meaning:

- A. "Construction Activity" shall mean all activity subject to the National Pollutant Discharge Elimination System (NPDES) construction permits. These include construction projects resulting in land disturbance of one acre or more, or construction projects resulting in land disturbance of less than one acre that are part of a common plan of development or sale. Such activities include clearing, grubbing, grading, excavation, and demolition.
- B. "Dwelling Unit" shall mean a building or portion thereof that contains living facilities for not more than one (1) family, including facilities for sleeping, eating, cooking, and sanitation; or a lot designated and intended for such use.
- C. "Equivalent Residential Unit" or "ERU" shall mean and is equal to four thousand (4,000) square feet of impervious ground cover, which constitutes the average impervious surface area contained on a single family residential parcel within the City. An ERU is the unit of impervious groundcover that is used by the stormwater utility for calculating the service fee.
- D. "IDDE" shall mean the Illicit discharge detection and elimination program.
- E. "Impervious Area" shall mean a surface that is covered with material that is resistant to infiltration of water including conventionally surfaced streets, roofs, sidewalks, concrete flatwork, driveways, parking lots and other oiled, graveled, graded or compacted surface that impedes the natural infiltration of surface water.
- F. "Moses Lake" shall mean the body of water named Moses Lake along with all associated ponds, wetlands and tributaries, and the waters of the state.
- G. "Nonresidential Property" shall mean all properties that are billed as commercial accounts per Chapter 13.12.
- H. "Non-Stormwater" shall mean discharge to a stormwater system that is not composed entirely of stormwater.
- I. "Owner" shall mean the property owner of record according to the Grant County Assessor's Office.
- J. "Residential Property" shall mean all properties that are billed as residential accounts per Chapter 13.12.
- K. "Stormwater Fee" shall mean the service charge established under Title 13 of the Municipal Code for parcels of real property to fund the costs of stormwater management and for operating, maintaining and improving the stormwater system in the City.

- L. "Stormwater system" shall mean all the pipes, swales, ditches, culverts, street gutters, detention ponds, retention ponds, constructed wetlands, infiltration devices, catch basins, oil/water separators, biofiltration swales, outfalls, underground injection wells, and other items for conveying, treating, or containing stormwater and non-stormwater.
- M. "Stormwater Utility" shall mean the City's stormwater utility, which includes all property within the City's corporate limits.
- N. "Undeveloped Property" shall mean property that is unaltered by the actions, construction, or addition to such property by man, or addition to such property by man of impervious groundcover, or physical manmade improvements, or conditions of any kind that change the hydrology of the property or its soil from its natural state, so long as stormwater runoff from said property causes no detriment to the City's stormwater system.

Section 2. The City Council declares that an emergency exists and this ordinance is deemed a public emergency ordinance necessary for the protection of public health, public safety, public property, or public peace and shall take effect immediately as provided by law upon one reading if a majority plus one of the whole membership of the City Council vote in favor of passage.

Adopted by the City Council and signed by its Mayor on March 23, 2010



Jon Lane, Mayor

ATTEST:



Ronald R. Cone, Finance Director

APPROVED AS TO FORM:



James A. Whitaker, City Attorney