

ORDINANCE NO. 761

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, ALLOWING FOR TEMPORARY INSTALLATION OF APPROVED SEPTIC SYSTEMS IN LIEU OF THE PUBLIC SEWER CONNECTION REQUIRED BY CHAPTER 13.28 OF THE GIG HARBOR MUNICIPAL CODE, AND AMENDING SECTION 13.28.260 OF THE GIG HARBOR MUNICIPAL CODE.

WHEREAS, Chapter 13.28 of the Gig Harbor Municipal Code ("GHMC") generally prohibits the disposal of sewage within the City of Gig Harbor ("City") except by means of the public sewer system; and

WHEREAS, on May 27, 1997, the City Council imposed a moratorium on both the acceptance of new applications for sewer service connections and the issuance of new sewer service permits under the Gig Harbor Municipal Code; and

WHEREAS, the City Council finds it reasonable to allow for the temporary installation of approved septic systems in lieu of the public sewer connection required by Chapter 13.28 GHMC during the term of the moratorium; and

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Section 13.28.260 of the Gig Harbor Municipal Code is hereby amended as follows:

13.28.260 Septic tank systems - When Permitted. It shall be permitted during the term of the ~~Department of Ecology~~ sewer connection moratorium (~~Order DE-84-311, First Amendment, August 22, 1985~~) enacted by the City Council on May 27, 1997

(Ordinance No. 759), for an owner of a building/structure intended for occupancy, to ~~construct~~ install a temporary septic tank system which has been approved by the City of Gig Harbor and the Tacoma-Pierce County ~~Environmental~~ Health Department and/or all other appropriate state and local governmental agencies ~~agency~~; provided, however, that within ~~ninety~~ (90) one hundred and eighty (180) days of receipt of written notice from the City of Gig Harbor that the City Council has terminated upon lifting of the moratorium or that the moratorium has expired for failure of the City Council to adopt findings of fact to support the moratorium by the Department of Ecology: (a) such approved temporary septic tank system shall be abandoned by the owner, and (b) the owner shall connect such building/structure directly with the City of Gig Harbor sewer system at the owner's expense in accordance with the connection charges set forth under Chapter 13.32, ~~"Sewer Rates and Charges," as amended (Sewer Rates and Charges).~~ Failure or refusal of the owner to connect to the public sewer system within the time specified above will subject the owner to the lien and assessment provisions contained within ~~Section 13.28.130 this chapter.~~ This section does not grant an applicant for a temporary septic system any right to a permanent septic system.

Section 2. Purpose. This ordinance does not grant an applicant for a temporary septic system any right to a permanent septic system. The purpose of this ordinance is to allow buildings and structures intended for occupancy to temporarily install and temporarily use a septic system during the term of the sewer connection moratorium. Upon the termination or expiration of the moratorium, any temporary septic system authorized by this ordinance must be abandoned, and the building or structure serviced by the temporary septic system must be connected to the public sewer system.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. Effective Date. This ordinance shall take effect and be in full force five (5) days after publication of an approved summary consisting of the title.

APPROVED:

MAYOR, GRETCHEN A. WILBERT

ATTEST/AUTHENTICATED:

CITY CLERK, MOLLY M. TOWSLEE

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APPROVED AS TO FORM:

CITY ATTORNEY, CAROL A. MORRIS

FILED WITH THE CITY CLERK: 5/22/96
PASSED BY THE CITY COUNCIL: 6/23/97
PUBLISHED: 6/25/97
EFFECTIVE DATE: 6/30/97
ORDINANCE NO. 761

SUMMARY OF ORDINANCE NO. 761

CITY OF GIG HARBOR, WASHINGTON

On the 23rd day of June, 1997, the City Council of the City of Gig Harbor, passed Ordinance No.761. A summary of the content of said ordinance, consisting of the title, provides as follows:

**AN ORDINANCE OF THE CITY OF GIG HARBOR,
WASHINGTON, ALLOWING FOR TEMPORARY
INSTALLATION OF APPROVED SEPTIC SYSTEMS IN LIEU
OF THE PUBLIC SEWER CONNECTION REQUIRED BY
CHAPTER 13.28 OF THE GIG HARBOR MUNICIPAL CODE,
AND AMENDING SECTION 13.28.260 OF THE GIG HARBOR
MUNICIPAL CODE.**

The full text of this ordinance will be mailed upon request.

DATED this 24th day of June, 1997.

CITY CLERK, MOLLY TOWSLEE