

*Title 7*

***WATER SUPPLY***

**CHAPTERS:**

**7.10 PIERCE COUNTY WATER UTILITY.**

**7.20 PIERCE COUNTY COORDINATED WATER SYSTEM PLAN FEES.**



## *Chapter 7.10*

### *PIERCE COUNTY WATER UTILITY*

#### **Sections:**

- 7.10.010 Purpose.**
- 7.10.020 Utility Creation and Authority.**
- 7.10.030 Definitions of Terms.**
- 7.10.040 Water Utility Fund.**
- 7.10.050 Contracts – General.**

#### **7.10.010 Purpose.**

This Chapter creates a Utility and a funding methodology which provides resources to plan and manage the County's water supplies and/or water rights and to plan, manage, design, construct, and maintain a wholesale water supply system. (Ord. 98-103 § 3 (part), 1999)

#### **7.10.020 Utility Creation and Authority.**

There is hereby created a Water Utility and corresponding Water Utility Fund for Pierce County. Said Water Utility shall be administered by the Pierce County Executive as a division of the Department of Public Works and Utilities.

The Water Utility is hereby authorized and directed to complete, or contract with outside individuals to complete, the tasks necessary to develop the water rights located at the Chambers Creek Properties thereby establishing Pierce County as a wholesale distributor of water. (Ord. 98-103 § 3 (part), 1999)

#### **7.10.030 Definitions.**

For the purposes of this Chapter, the words or phrases below shall have the following meanings:

- A. "County" means Pierce County, Washington.
- B. "Department" means Pierce County Public Works and Utilities.
- C. "Director" means the Director of the Pierce County Public Works and Utilities Department or his/her authorized deputy, agent, or representative.
- D. "Governmental Entity" means the organization or agency through which a separate and independent political body exercises authority including but not limited to, cities, towns, water and sewer districts, and other municipal corporations.
- E. "Person" means any agency, agent, authority, board, church, club, committee, commune, cooperative, department, district, government, group, guardian, league, office, order, school, task force, trustee, individual, family, partnership, firm, company, association, society, corporation, or other entity.
- F. "Public Water System" as defined in WAC 246-290 means "Any system of water supply intended or used for human consumption or other domestic uses, including source, treatment, storage, transmission, and distribution facilities where water is being furnished to any community, collection, or number of individuals, but excluding a water system serving one single family residence."

- G. "Satellite System Management Agency" means a person or entity that is certified by the Washington State Department of Health to own or operate more than one public water system on a regional or county-wide basis, without the necessity for a physical connection between such systems.
- H. "Shall" or "May". "Shall" is mandatory; "May" is permissive.
- I. "Water General Plan" means a general plan for a system of water for the county which shall be an element of the Comprehensive Plan for Pierce County. A water general plan does not mean the final engineering construction or financing plans for the system.
- J. "Water System Plan" means a written plan prepared for a particular water system and service area which identifies a schedule of needed improvements, a financial program, and an operations program. A water system which is expanding within a designated service area may be required to include other elements in its plan. Details of Water System Plan requirements can be found in WAC 246-290.
- K. "Water Utility" means that duly created and organized administrative and operational subdivision with the Department of Public Works and Utilities. Use of the term may refer to the organization in general or apply to a particular functional unit or division thereof.

(Ord. 98-103 § 3 (part), 1999)

**7.10.040 Water Utility Fund.**

All Water Utility funds from service charges, grant funds, or any other revenue received shall be deposited in the Water Utility Fund. All revenue in the Water Utility Fund shall be deposited in interest-bearing or income-earning accounts. The Water Utility Fund shall have the ability to borrow through interfund loans from other County funds. (Ord. 98-103 § 3 (part), 1999)

**7.10.050 Contracts – General.**

The Department may enter into contracts with entities such as an existing public water system, satellite system management agency, municipal corporation, other government agency or person, for the planning, development, construction, maintenance and/or operation of a water supply system, or for the wheeling of water, or for the direct purchase of water. The Director shall not be authorized to obligate the County to any such contract, but shall perform all preparatory work necessary prior to presentation of such proposed contracts to the Pierce County Executive for execution. (Ord. 98-103 § 3 (part), 1999)

## Chapter 7.20

### *PIERCE COUNTY COORDINATED WATER SYSTEM PLAN FEES*

#### **Sections:**

**7.20.010 Purpose.**

**7.20.020 Applicability.**

**7.20.030 Service Fees for Public Works and Utilities Department.**

**7.20.050 Other Fees.**

**7.20.060 Drinking Water Program Fund.**

**7.20.070 Validity – Severability.**

#### **7.20.010 Purpose.**

This Chapter establishes fees for services and expenses rendered pursuant to administration of the Pierce County Coordinated Water System Plan (Chapter 19D.120 PCC), Satellite System Management Agency (SSMA) Program and Dispute Resolution Process (Chapter 19D.140 PCC), RCW 43.20.260, RCW 70.116 and WAC 246-290. (Ord. 2010-88s § 1 (part), 2010; Ord. 2008-85 § 1 (part), 2008)

#### **7.20.020 Applicability.**

- A. The Pierce County Public Works and Utilities Department is authorized by the Pierce County Coordinated Water System Plan (CWSP) and Chapters 19D.120, 19D.130 and 19D.140 PCC as lead agency in the review and coordination of the following items:
1. **Water System Documents.** Any water system documents that require review per the Pierce County CWSP or require Consistency Review per RCW 43.20.260 and WAC 246-290-108.
  2. **Dispute Resolution Process.** Any request for dispute resolution between water purveyors of water service areas as set forth in the Pierce County CWSP and provisions of Chapter 19D.140 PCC.
  3. **Satellite System Management Agency (SSMA) Documents and Annual Reports.** Any documents, reports or requests that require review or coordination for Satellite System service, documents or reports per the Pierce County CWSP or provisions of Chapter 19D.140 PCC.

(Ord. 2010-88s § 1 (part), 2010; Ord. 2008-85 § 1 (part), 2008)

#### **7.20.030 Service Fees for Public Works and Utilities Department.**

- A. **Fee Services.** The fee shall provide for all costs of service performed by the Department of Public Works and Utilities including, but not limited to, any staff time to:
1. Review water system documents; meet with water system owners or their consultant's, including travel time; legal services; amend the County's Geographic Information System (GIS) to alter water service area boundaries; and all other technical and administrative services provided relative to the review and consistency determination of the water system document.
  2. Provide interpretations, mediation and Water Utilities Coordinating Committee (WUCC) staff support regarding water service area disputes between water purveyors through meetings, negotiations, preparation of staff reports, attendance at public meetings, etc. This process may include legal and administrative services and amendment of the County's Geographic Information System (GIS) to alter water service area boundaries.

3. Review SSMA documents for pre-qualification and annual reports; meet with SSMA staff or their consultant's, including travel time; legal services; amend the County's Geographic Information System (GIS) to alter water service area boundaries; and all other technical and administrative services provided relative to the review and consistency determination of the SSMA documents.
- B. **Fee Structure.** The Public Works and Utilities Department costs incurred throughout the duration of the process will be based on time, equipment and material utilized. County personnel and equipment time rates will be in accordance with the latest established County weighted rates inclusive of overhead costs. Material costs will be based on the actual costs of materials plus 15 percent.
- C. **Fee Submittal and Non-Refundable Fee.**
1. Requests for review of documents or water service area dispute resolution services made to the Department of Public Works and Utilities shall, at the time of submittal or request, pay the County a non-refundable fee of:
    - a. \$500.00 for water system document submittals such as water system plans, water system plan amendments, small water system management programs, and satellite system management plans;
    - b. \$500.00 for requests for dispute resolution between water purveyors regarding a water service area boundary; and
    - c. \$250.00 for individual water service boundary changes that do not trigger a water system plan amendment
  2. The non-refundable fee shall be credited against the final County costs as outlined in 7.20.030 B. above, provided the final cost exceeds the amount of the non-refundable fee. Additional costs incurred by the County for time and expenses over and above the minimum non-refundable fee amount will be charged to the person requesting service (and identified as the responsible billing party) on a time and materials basis, as outlined in 7.20.030 B. above.
- D. **Progress Billing.** The County will keep an accurate accounting of costs incurred. Should the total of County costs exceed the amount of the non-refundable fee, the person requesting service (and identified as the responsible billing party) must pay the additional fees within 30 days following billing by the County and prior to the County granting final consistency determinations or other decisions.
- (Ord. 2010-88s § 1 (part), 2010; Ord. 2008-85 § 1 (part), 2008)

#### **7.20.050 Other Fees.**

Administrative processing costs incurred by the County in relation to reviews and services as set forth in this Chapter shall be paid in full prior to the County granting final consistency determinations or other decisions. Administrative processing costs shall include, but not be limited to, the following items:

- A. Advertising expenses;
- B. Public hearing expenses;
- C. Rental of meeting rooms;
- D. Travel expenses; and
- E. Copying expenses.

(Ord. 2010-88s § 1 (part), 2010; Ord. 2008-85 § 1 (part), 2008)

**7.20.060 Drinking Water Program Fund.**

All funds received from review fees, service charges, grant funds, or any other revenue received pursuant to this Chapter shall be deposited in the Drinking Water Program Fund. (Ord. 2010-88s § 1 (part), 2010; Ord. 2008-85 § 1 (part), 2008)

**7.20.070 Validity – Severability.**

The invalidity of any Section, subsection, clause, sentence or provisions of this Chapter shall not affect the validity of any part of this Chapter which can be given effect without such part or parts. (Ord. 2008-85 § 1 (part), 2008)