

CITY OF PALMER, ALASKA

ORDINANCE NO. 578

AN ORDINANCE AMENDING CHAPTERS 13.08 (UTILITY SERVICE) AND 13.16 (SEWER AND WATER IMPROVEMENTS) BY AMENDING SECTIONS 13.08.030 (WATER AND SEWER CONNECTIONS--REQUIRED WHEN--SEPTIC TANK SPECIFICATIONS), 13.16.025 (WATER SUPPLY SYSTEM) AND 13.16.030 (SANITARY SEWER SYSTEM) OF THE PALMER MUNICIPAL CODE.

THE CITY OF PALMER, ALASKA, ORDAINS:

Section 1. Classification. This ordinance shall be of a permanent nature and shall become a part of the City of Palmer Code of Ordinances.

Section 2. Severability. If any provisions of this ordinance, or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. PMC subsection 13.08.030(C) is hereby amended to read as follows:

C. All septic tanks now in use or hereafter constructed within the city shall meet specifications established by the city manager and the Alaska Department of [Health and Welfare] **Environmental Conservation**, and no septic tank shall hereafter be constructed without obtaining a written permit from the city manager or his duly authorized agent. Vaults, privies and cesspools shall not be approved as adequate sanitary facilities.

Section 4. PMC subsections 13.08.030(D) (E) and (F) are hereby adopted to read as follows:

D. Subsections A and B above notwithstanding, a residential dwelling no larger than a two-family dwelling, located on a parcel having an area of at least 20,000 square feet shall not be required to be connected to the city sanitary sewer system or water distribution system, provided that the city manager has granted a written waiver from the applicable requirements of subsections A and/or B. Regarding water, the city manager shall not grant such a waiver unless the owner has proved to the city manager that the on-site water system complies with Alaska Department of Environmental Conservation regulations. Regarding sewer, the city manager shall not grant such a waiver unless the owner (1) has proved to the city manager that the construction and operation of the on-site wastewater system has been approved by the Department of Environmental Conservation; and (2) the owner has entered into an agreement with the city under which the owner

Ordinance No. 578 - Continued

agrees to regular maintenance of the on-site wastewater system. The agreement with the city must run with the land and must be duly recorded. All costs of maintenance, inspection, recording, etc., will be at the owner's expense.

E. If a city sanitary sewer or water main is extended to allow connection to a property previously exempted from the requirement to connect to city utilities under subsection D., above, the property owner of the excepted property shall be responsible for the portion of the costs for that improvement based upon an allocation of special assessment costs as calculated in accordance with the then-current method for allocating such costs.

F. If the city sanitary sewer is extended to allow connection to a property previously exempted from the requirement to connect to city utilities under subsection D., above, all dwellings on that property shall be connected at the owner's expense to the city sewer if the on-site wastewater system fails, as determined by inspection, and there is not sufficient other area on the property to construct a permitted replacement on-site wastewater disposal system.

Section 5. Sections 13.16.025 (Water Supply System) and 13.16.030 (Sanitary Sewer System) are hereby amended as follows:

13.16.025 Water supply system.

When a proposed subdivision is to be serviced by the city water system, such system shall be provided by the subdivider to standards established by the State of Alaska Department of Environmental Conservation. Fire hydrants shall be provided to standards established by the American Waterworks Association. Upon acceptance all easements and sewer improvements associated with such a sewage system shall be dedicated to and accepted by the city for administration, operation and maintenance. No proprietary rights of any type or description shall be retained by the developer or owner of the subdivision.

Subject to PMC 13.08.030, when each lot within a proposed subdivision has an area of 20,000 square feet or more, connection to the city water system is not required, provided the developer proves to the city manager that the Alaska Department of Environmental Conservation has approved on-site water supply systems for each lot.

Ordinance No. 578 - Continued

13.16.030 Sanitary sewer system.

When a proposed subdivision is to be served by the city sanitary sewer system, sanitary sewers and other required appurtenances thereon shall be provided by the subdivider. Sewer systems shall comply with the requirements of the department of public works. Connection to the public sanitary sewer system shall be required. Upon acceptance all easements and sewer improvements associated with such a sewage system shall be dedicated to and accepted by the city for administration, operation and maintenance. No proprietary rights of any type or description shall be retained by the developer or owner of the subdivision.

Subject to PMC 13.08.030, when each lot within a proposed subdivision has an area of 20,000 square feet or more, connection to the city sewer system is not required, provided the developer proves to the city manager that the Alaska Department of Environmental Conservation has approved on-site wastewater supply systems for each lot.

Section 6. Publication and Effective Date. This ordinance shall become effective immediately upon its adoption. Publication shall be by making copies available to the public, and further it shall be published by being printed and included in the Palmer Municipal Code at its next regular supplementation and printing. Publication may also be made by posting a copy hereof on the City Hall bulletin board for a period of ten (10) days following its adoption. A notice of public hearing shall be given by such posting at least five (5) days before final passage.

First Reading: August 28, 2001

Public Hearing &
Second Reading: September 11, 2001

Adopted by the City Council of the City of Palmer, Alaska, this 11th day of September, 2001.

HENRY P. GUINOTTE, Mayor



THOMAS HEALY, City Clerk