

ORDINANCE NO. 2019-__

AN ORDINANCE amending the definition section of Yakima Municipal Code section 7.68: Water Division.

WHEREAS, RCW 35.92.010 authorizes cities to own and operate water utilities, and to regulate and control the use, distribution, and price for water utility service; and

WHEREAS, Article IX, Section 1 of the City Charter of the City of Yakima authorizes the City Council to provide by ordinance rules and regulations for the control, management and operation of all public utilities owned and operated by the City; and

WHEREAS, the definitions section should be updated to remove definitions that are no longer necessary, and add a definition of “originally approved condition” to add clarity to the language of the ordinance; and

WHEREAS, the City Council finds and determines that adoption of this ordinance amending the definition section, Yakima Municipal Code section 7.68.012 in the public interest and in the best interest of the City and its residents; **now, therefore**,

BE IT ORDAINED BY THE CITY OF YAKIMA:

Section 1. Yakima Municipal Code Section 7.68.012 shall be amended to read as follows:

7.68.012 Definitions.

The definitions set forth in this subsection apply throughout this chapter.

- (1) “Backflow” means the flow, other than the intended direction of flow, of any foreign liquids, gases, or substances into the distribution system of a public water supply.
- (2) “Backflow prevention device” means a device to counteract backflow.
- (3) “Contamination” means the entry into or presence in a public water supply of any substance which may be deleterious to health and/or quality of the water.
- (4) “Cross-connection” means any physical arrangement whereby a public water supply is connected, directly or indirectly, with any other water supply system, sewer, drain, conduit, pool, storage reservoir, plumbing fixture, or other device which contains or may contain contaminated water, wastewater, or other waste or liquids of unknown or unsafe quality which may be capable of imparting contamination to the public water supply as a result of backflow.
- (5) “Manager” means the manager of the water/irrigation division of the city of Yakima, or ~~his~~their authorized agent.
- ~~(6) “Health officer” means the Yakima County district health officer, or his authorized agent.~~
- ~~(76)~~ “Public water supply” means any system or water supply intended or used for human consumption or other domestic uses, including source, treatment storage, transmission and distribution facilities, where water is furnished to any collection or

number of individuals, or is made available to the public for human consumption or domestic use.

~~_(87) “Purveyor” means the city of Yakima or its authorized agent.~~

~~(98) “DOH” means the Secretary Washington of Department of Health.~~

(1097) “Unit of consumption (UOC)” means the basic unit of measure for water consumed, and shall contain one hundred cubic feet per unit.

(11108) “Domestic service line” means the pipe from the water main to five feet beyond the meter set.

(12119) “Fire service line” means the pipe from the water main to the property line.

(120) “Originally Approved Condition” means that configuration as originally installed by a licensed designer/installer and approved by the city.

Section 2. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional, unlawful or invalid 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 3. Effective Date. This ordinance shall be in full force and effect 30 days after its passage, approval, and publication as provided by law and by the City Charter.

PASSED BY THE CITY COUNCIL, signed and approved this 4th day of June, 2019.

Kathy Coffey, Mayor

ATTEST:

Sonya Claar Tee, City Clerk

Publication Date:_____

Effective Date:_____