

## ORDINANCE NO. 2023-

**AN ORDINANCE** amending the City of Yakima Municipal Code Chapter 7.65, Chapter 11.44, and Chapter 12.03, relating to building sewers and connections.

### **BE IT ORDAINED BY THE CITY OF YAKIMA:**

**Section 1.** Yakima Municipal Code 7.65.050(D), titled Building sewers and connections, is hereby amended and reads as follows:

#### **7.65.050 Building sewers and connections.**

A. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the code administration and planning manager.

B. There shall be two classes of building sewer permits: (1) residential and nonresidential domestic service, and (2) service to nondomestic dischargers producing industrial wastewater. In either case, the owner or his/her agent shall make application on a special form furnished by the city. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the code administration and planning manager. Permit and inspection fees shall be paid as required by applicable provisions of this code.

C. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify and hold harmless the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. The owner shall utilize only those construction contractors which are adequately licensed and bonded in accordance with the city's requirements at the time of connection to the sewer. The licensed and bonded contractor shall have taken and passed the side sewer installer certification test that is proctored by the code administration and planning division of the city of Yakima.

D. A separate and independent building sewer shall be provided for every building, and only on each building's separate and independent lot, except under the following circumstances:

1. Where one building stands in the rear of another building on an interior lot, and no private sewer is available or can be constructed to the rear building through an adjoining court, yard or driveway, the building drain from the front building may be extended to the rear building and the whole considered as one building sewer; or

2. Where other circumstances, established to the satisfaction of the code administration and planning manager, indicate the need for a single sewer connection between separate and independent lots and there is a legally valid easement over the subservient lot.

3. Sewer service to a single attached or detached accessory dwelling unit (ADU) may be provided by a connection from the ADU to the primary dwelling unit on the property, subject to the following conditions:

i. The primary dwelling side sewer from the ADU point of connection and to the main sewer shall be appropriately sized to accommodate fixtures from both the primary dwelling and the ADU in accordance with unit loading requirements of the Uniform Plumbing Code.

ii. Prior to a connection being made, the line servicing the primary dwelling shall be video inspected at the sole expense of the property owner to verify sewer line integrity. Record of video inspection shall be provided to the code administration for approval or denial of the connection.

iii. The property owner must demonstrate that both the line serving the primary dwelling and the line serving the ADU are, or will be, constructed to city standards.

iv. The owner of the primary dwelling unit shall assume all risks and shall hold the city harmless from all losses and damages arising from any such connection.

v. No separate wastewater system connection fee shall be charged for the ADU wastewater connection.

The city does not and will not assume any obligation or responsibility for damage caused by or resulting from any single connection.

E. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the code administration and planning manager, to be in good repair, sized for the number of fixtures per the plumbing code most recently adopted by the city, to be suitable for this purpose, and to meet all requirements of this chapter.

F. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the edition of the plumbing code most recently adopted by the city.

G. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by any approved means described in the edition of the plumbing code most recently adopted by the city and found acceptable by the code administration and planning manager, and discharged to the building sewer.

H. No person shall make connection of roof downspouts, foundation drains, areaway drains or other sources of surface runoff, stormwater or groundwater to a building sewer or building drain, which in turn is connected directly or indirectly to a public sewer, or maintain such a connection.

I. The connection of the building sewer into the public sewer shall conform to the requirements of the editions of the building code and plumbing code most recently adopted by the city. All such connections shall be made gastight and watertight and verified by proper testing. The code administration and planning manager must approve any deviation from the prescribed procedures and materials before installation.

J. The applicant for the building sewer permit shall notify the code administration and planning manager when the building sewer is ready for inspection and connection to the public

sewer. The connection and testing shall be made under the supervision of the code administration and planning manager.

K. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city.

L. A properly functioning backwater valve shall be required in any building containing a basement, except in those situations which would not require a backwater valve as described in the edition of the building code most recently adopted by the city. The permit to install a backwater valve can be obtained from the code administration and planning manager. The city shall not be liable for damage due to wastewater backing up into a building where a properly functioning backwater valve has not been installed. The city also shall not be liable for damage due to wastewater backing up into a building where a backwater valve has been installed but has not been properly maintained or repaired. (Ord. 2007-26 § 1 (part), 2007: Ord. 2003-74 § 1 (part), 2003).

**Section 2.** A new section, 11.44.101, is added to Yakima Municipal Code Chapter 11.44, Plumbing Code.

#### **11.44.101 Amendment to Section 311.1.**

A new subsection of Section 311.1 of the Uniform Plumbing Code adopted by this chapter is hereby added to read as follows:

##### **Section 311.1-General**

The drainage system of each new building and new work installed in an existing building shall be separate and independent from that of any other building, and, where available, every building shall have an independent connection with a public or private sewer.

##### Exceptions:

1. Where one building stands in the rear of another building on an interior lot, and no private sewer is available or can be constructed to the rear building through an adjoining court, yard, or driveway the building drain from the front building shall be permitted to be extended to the rear building.

2. Sewer service to a single attached or detached accessory dwelling unit (ADU) may be provided by a connection from the ADU to the primary dwelling unit on the property, subject to conditions listed in Yakima Municipal Code 7.65.050(D)(3).

**Section 3.** Yakima Municipal Code Chapter 12.03.070, titled Side sewer service, is hereby amended and reads as follows:

### **12.03.070 Side sewer service.**

Each building containing sanitary facilities shall be served by a separate private side sewer line from a public main, except as provided for in Yakima Municipal Code 7.65.050(D). Branched side sewers serving multiple buildings and properties shall not be permitted, except as provided for in Yakima Municipal Code 7.65.050(D). Single side sewers serving multi-unit buildings are permitted. (Ord. 2001-13 § 15, 2001: Ord. 98-64 § 1 (part), 1998).

**Section 4.** 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 2nd day of May, 2023.

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Janice Deccio, Mayor

ATTEST:

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Sonya Claar Tee, City Clerk

Publication Date:

Effective Date: