

Chapter 20.60

UTILITIES

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Part I. General**20.60.010 Utility Ownership and Easement Rights.**

In any case in which a developer installs or causes the installation of water, sewer, electrical power, natural gas, telephone, cable television, or other types of utility facilities and intends that such facilities shall be owned, operated, or maintained by a public utility or any entity other than the developer, the developer shall transfer to such utility or entity the necessary ownership or easement rights to enable the utility or entity to operate and maintain such facilities.

20.60.020 Lots Served by Government Owned Water or Sewer Lines.

For purposes of this chapter, all lots within the City are deemed to be “served” by a city-owned sewer and/or water line. Privately owned and operated sanitary sewer systems and/or wells are not allowed within the City other than under special circumstances described in [§20.60.120 \(Private Sewage Disposal\)](#) or [§20.60.310 Determining Compliance with §20.60.300](#), respectively.

20.60.030 Right-of-Way Permit Required.

Prior to performing any work within a public right-of-way, the person performing the work shall obtain a right-of-way permit pursuant to AMC 12.40 (Right-of-Way Permits).

20.60.040 Monitoring Manholes Required.

Monitoring manholes are required on each individual non-residential side sewer connection.

20.60.050 Construction Standards and Specifications.

All facilities shall be constructed in accordance with the most recent edition of the Department of Public Works’ Construction Standards and Specifications manual.

Part II. Sewer**A. Sewage Disposal System****20.60.100 Sewage Disposal Facilities Required.**

Every principal use and every lot within a subdivision shall be served by a sewage disposal system that is adequate to accommodate the reasonable needs of such use or subdivision lot and that complies with all applicable health regulations. Such uses or subdivision lots shall be connected to a public sewage disposal system before the completion of the construction of such building or structure or, under special circumstances and with the Public Works Director authorization, before any occupancy or use thereof.

20.60.110 Determining Compliance With §20.60.100.

- (a) Primary responsibility for determining whether a proposed development will comply with the standard set forth in [§20.60.100 \(Sewage Disposal Facilities Required\)](#) may lie with an agency other than the city, and the developer must comply with the detailed standards and specifications of such other agency. The relevant agencies are listed in Subsection (b). Whenever any such agency requires detailed construction or design drawings before giving

its official approval to the proposed sewage disposal system, the authority issuing a permit under this chapter may rely upon a preliminary review by such agency of the basic design elements of the proposed sewage disposal system to determine compliance with [§20.60.100 \(Sewage Disposal Facilities Required\)](#). However, construction of such system may not be commenced until the detailed plans and specifications have been reviewed and any appropriate permits issued by such agency.

- (b) In the following *if-then* list, the *if* statement describes the type of development and the *then* statement indicates the agency that must certify to the city whether the proposed sewage disposal system complies with the standard set forth in [§20.60.100 \(Sewage Disposal Facilities Required\)](#).
- (1) **If:** The use is located on a lot that is served by a public sewer system and the use can be served by a connection to the system (as in the case of a single family residence) rather than the construction of an internal collection system (as in the case of a shopping center or apartment complex):
Then: No further certification is necessary.
 - (2) **If:** The use (other than a subdivision or short plat) is located on a lot that is served by the city sewer system but service to the use necessitates construction of an internal collection system (as in the case of a shopping center or apartment complex); and the internal collection system is to be transferred to and maintained by the city:
Then: The Public Works Director must certify to the city that the proposed internal collection system meets the city's specifications and will be accepted by the city.
 - (3) **If:** The use (other than a subdivision or short plat) is not served by the City system but, pursuant to [§20.60.120 \(Private Sewage Disposal\)](#), is qualified to be served by a privately operated sewage treatment system (that has not previously been approved) designed to serve one equivalent residential unit (ERU):
Then: The Snohomish County Health District (SCHD) must certify to the city that the proposed system complies with all applicable state and local health regulations.
 - (4) **If:** The proposed use is a subdivision or short plat; and
 - (A) Lots within the subdivision or short plat are to be served by connection to existing public lines:
Then: No further certification is necessary.
 - (B) Lots within the subdivision or short plat are to be served by the city system but the developer will be responsible for installing the necessary additions to the public sewer system:
Then: The Public Works Director must certify to the city that the proposed system meets the city's specifications and will be accepted by the city.
 - (C) Lots within the subdivision or short plat are, pursuant to [20.60.120 \(Private Sewage Disposal\)](#), qualified to be served by independent sewage treatment systems:
Then: The Snohomish County Health District must certify that the proposed system complies with all applicable state and local health regulations and that the lot can be served by an on-site disposal system.

20.60.120 Private Sewage Disposal.

- (a) The side sewer may be connected to a private sewage disposal system if, and only if, all of the following criteria are met:
- (1) The proposed use on a single lot of 5 acres or more, and,

- (2) The property is not located in the Arlington Municipal Aquifer Recharge Area; and,
 - (3) A public sanitary sewer line is not within 500 feet of the lot proposed for development; and,
 - (4) The City so certifies and approves; and,
 - (5) The Snohomish Health District approves the system; and,
 - (6) The system complies with all applicable laws and regulations.
- (b) Pursuant to RCW 70.64 and WAC 248.96, the City recognizes the Snohomish County Health District as the legitimate agency to supervise and direct the on-site sewer system permit process. All permitting and inspection of private sewage disposal systems shall be done by the Snohomish Health District, PROVIDED that any application to the Health District for installation of a new on-site sewage system must be accompanied by a letter from the City stating that no sanitary systems are available and that the proposed on-site sewage system conforms to applicable City Code requirements. The property owner shall pay all related Health District fees. The property owner shall furnish a copy of the Snohomish Health District permit to the City by prior to any construction work. The property owner shall furnish a copy of the as-built drawings to the city.
- (c) An appropriate fee may be established by resolution for the above service provided by the City.
- (d) Connections to public sewer shall be required when public sewer becomes available.

20.60.130 Conveyance of Facilities to City.

- (a) Any private or public sewer facility not owned by the City may be conveyed to the City if it meets the criteria listed in subsection (b). If the City accepts that conveyance, the sewer thereafter shall be a public sewer under the jurisdiction of the City.
- (b) The following criteria shall be met, unless otherwise waived by the Public Works Director, prior to conveyance of sewer facilities to the City:
- (1) A public utility easement of adequate dimensions shall be concurrently granted to the City.
 - (2) The facilities shall be inspected for conformance with the standards specified herein for public sewer facilities. The Public Works Director may require any test to demonstrate such conformance. Such tests may include, but are not limited to, infiltration, exfiltration, air tests, or a combination thereof. The applicant for the building sewer permit shall notify the Public Works Director when the building sewer is ready for inspection.
 - (3) The applicant shall pay any and all required fees, as per this Title and AMC Title 13.
 - (4) The Public Works Director may require that a maintenance bond be provided to ensure workmanship for a period of two years.

B. Side Sewers

20.60.200 Side Sewer Permits Required.

- (a) Side sewer permits shall be obtained for any connection to the public sewer system.
- (b) A permit that includes side sewer work in a public area or the connection with or opening into any public sewer may be issued only to a license, bonded side sewer contractor or qualified City employee.

- (c) A permit which includes side sewer work on private property only may be issued to the owner of the property or to a licensed, bonded side sewer contractor, or qualified City employee.
- (d) Side sewer permits shall not be transferable. No authorized person, including any side sewer contractor or qualified City employee, shall lay any pipe pursuant to any other person's permit.
- (e) No permit shall be issued for side sewer connection before the main sewer is accepted.

20.60.210 Costs of Side Sewer Borne by Owner.

All costs and expense incidental to the installation, connection, and maintenance of the side sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the side sewer.

20.60.220 Side Sewer Permitting Process.

- (a) Side sewer permits shall be issued by the Department of Public Works.
- (b) The applicant for a side sewer permit shall supply the Public Works Director with the following information:
 - (1) Owner's name;
 - (2) Address of property to be served;
 - (3) Owner's mailing address;
 - (4) Name and address to which bills shall be sent;
 - (5) Licensed, bonded side sewer contractor's or qualified City employee's name and proof of qualification;
 - (6) Legal description of property to be served;
 - (7) All outside dimensions of building to be served;
 - (8) Location of buildings on property to be served;
 - (9) Purpose of building; and
 - (10) Design layout of the proposed side sewer.
- (c) All required fees shall be paid before any side sewer permit is issued. Such fees may include, but are not limited to: permit fees, inspection fees, general facilities connection charges, reconnection charges, recovery contract obligations, and/or any other charges identified as associated with the permit or the property (outstanding or otherwise), if applicable.
- (d) The permit must be posted on the job prior to commencing the work and must be readily accessible to the Public Works Director.
- (e) The installer of the side sewer shall schedule an inspection at least 24 hours in advance and no sooner than 24 hours after the fees have been paid, and shall meet with the inspector on the job whenever so directed.

20.60.230 Side Sewer Contractor Registration Required.

- (a) For the purpose of assuring safe and quality construction of side sewers, safe and quality connection of side sewers to the public sewers of the City, no person, other than the owner of the property involved, may construct, install, repair, reconstruct, excavate, or connect to the public sewers of the City any side sewer, unless he is a side sewer contractor holding a valid, un-suspended current certificate of registration issued by the Department of Licenses of the State of Washington pursuant to Chapter 18.27 RCW, or is a qualified employee of the City.

- (b) All such registered side sewer contractors and/or qualified City employee shall adhere at all times to the then current requirements of the City relating to side sewers, connections to public sewers, and side sewer contractors, including reasonable requirements of the Public Works Director relating to construction, installation, reconstruction and repair of side sewers, and shall be liable for all damage to the public sewers of the City and any other public sewers and any other sewage treatment plant to which the City is connected.

20.60.240 Each Side Sewer to Have Individual Side Sewer Connection, Unless Exception Granted.

- (a) Not more than one primary structure may be connected to the sewer system by a single connection unless the Public Works Director grants an exception prior to the construction of such connection.
- (b) If more than one primary structure is connected to the public sewer system by a single connection, a mutually beneficial easement shall be granted to the respective properties over the shared portions of the connection, thus assuring that all properties involved shall have perpetual use of the side sewer. Provisions shall also be made for maintenance and access for repair proposes. Said easement(s) shall be recorded with the County Auditor, and a copy thereof furnished to the City.

20.60.250 Reuse of Old Side Sewers.

Old side sewers, including septic tank lines, may be used only when they are found, on examination and testing required by the Public Works Director, to meet all requirements of this chapter. The owner or his agent shall demonstrate to the Public Works Director that no connection to such side sewer or septic tank line exists which conveys any material prohibited by AMC §13.08.560 (Prohibited Discharges—Into Sanitary Sewer) and §13.08.570 (Prohibited Discharges—Enumerated).

20.60.260 Protection of Excavations—Restoration of Public Property.

All excavations for side sewer installations shall be adequately protected per state requirements 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.

Part III. Water

20.60.300 Water Supply System Required.

Every principal use and every lot within a subdivision shall be served by a water supply system that is adequate to accommodate the reasonable needs of such use or subdivision lot and that complies with all applicable health regulations. Such uses or subdivision lots shall be connected to a public water system before the completion of the construction of such building or structure or, under special circumstances and with the Public Works Director's authorization, before any occupancy or use thereof.

20.60.310 Determining Compliance with §20.60.300.

- (a) Primary responsibility for determining whether a proposed development will comply with the standard set forth in [§20.60.300 \(Water Supply System Required\)](#) often lies with an agency

other than the city, and the developer must comply with the detailed standards and specifications of such other agency. The relevant agencies are listed in Subsection (b). Whenever any such agency requires detailed construction or design drawings before giving its official approval to the proposed water supply system, the authority issuing a permit under this chapter may rely upon a preliminary review by such agency of the basic design elements of the proposed water supply system to determine compliance with [§20.60.300 \(Water Supply System Required\)](#). However, construction of such system may not be commenced until the detailed plans and specifications have been reviewed and any appropriate permits issued by such agency.

- (b) In the following *if-then* list, the *if* statement describes the type of development and the *then* statement indicates the agency that must certify to the city whether the proposed water system complies with the standard set forth in [§20.60.300 \(Water Supply System Required\)](#).
- (1) **If:** The use is located on a lot that is served by the City of Arlington water system or a previously approved, privately owned public water supply system and the use can be served by a simple connection to the system (as in the case of a single family residence) rather than the construction of an internal distribution system (as in the case of a shopping center or apartment complex):
Then: No further certification is necessary.
- (2) **If:** The use (other than a subdivision) is located on a lot that is served by the City of Arlington water system but service to the use necessitates construction of an internal distribution system (as in the case of a shopping center or apartment complex); and
(A) The internal distribution system is to be transferred to and maintained by the City of Arlington.
Then: The Public Works Director must certify to the city that the proposed internal distribution system meets City of Arlington specifications and will be accepted by the City of Arlington.
- (3) **If:** The use (other than a subdivision) is located on a lot not served by the City of Arlington system or a previously approved, privately owned public water supply system; and
(A) The use is to be served by a privately owned public water supply system that has not previously been approved:
Then: The Washington State Department of Ecology (DOE) must certify that the proposed system complies with all applicable state and federal regulations. The City of Arlington must also approve the distribution lines for possible future addition to the city system.
(B) The use is to be served by some other source (such as an individual well):
Then: The Snohomish County Health District must certify that the proposed system meets all applicable state and local regulations and the City of Arlington must approve the proposed system.
- (4) **If:** The proposed use is a subdivision; and
(A) Lots within the subdivision are to be served by simple connection to existing city lines or lines of a previously approved public water supply system:
Then: No further certification is necessary.
(B) Lots within the subdivision are to be served by the City of Arlington system but the developer will be responsible for installing the necessary additions to such system:

Then: The Public Works Director must certify that the proposed system meets City of Arlington specifications and will be accepted by the City.

- (C) Lots within the subdivision are to be served by a privately owned public water supply system that has not previously been approved:

Then: The Snohomish County Health District (SCHD) must certify that the proposed system complies with all applicable state and federal regulations. The Washington State Department of Ecology (DOE) must also approve the plans. The City of Arlington must also approve the distribution lines for possible future addition to the City system.

- (D) Lots within the subdivision are to be served by individual wells:

Then: The Snohomish County Health District must certify to the city that each lot intended to be served by a well can be served in accordance with applicable health regulations.

Part IV. Other Utilities

20.60.400 Lighting Requirements.

- (a) Subject to Subsection (b), all public streets, sidewalks, and other common areas or facilities in subdivisions created after the effective date of this chapter shall be sufficiently illuminated to ensure the security of property and the safety of persons using such streets, sidewalks, and other common areas or facilities.
- (b) All roads, driveways, sidewalks, parking lots, and other common areas and facilities in unsubdivided developments shall be sufficiently illuminated to ensure the security of property and the safety of persons using such roads, driveways, sidewalks, parking lots, and other common areas and facilities.
- (c) All entrances and exits in substantial buildings used for nonresidential purposes and in multi-family residential developments shall be adequately lighted to ensure the safety of persons and the security of the buildings.
- (d) All outdoor lights shall be low sodium or similar lamp type and be down-shielded to prevent light pollution.

20.60.410 Excessive Illumination.

Lighting within any lot that unnecessarily illuminates any other lot or public right-of-way and substantially interferes with the use or enjoyment of such other lot or public right-of-way is prohibited. Lighting unnecessarily illuminates another lot if it clearly exceeds the standard set forth in [§20.60.400 \(Lighting Requirements\)](#) or if the standard set forth in §20.60.400 could reasonably be achieved in a manner that would not substantially interfere with the use or enjoyment of neighboring properties.

20.60.420 Electric Power.

Every principal use and every lot within a subdivision shall have available to it a source of electric power adequate to accommodate the reasonable needs of such use and every lot within such subdivision. Compliance with this requirement shall be determined as follows:

- (1) If the use is not a subdivision and is located on a lot that is served by an existing power line and the use can be served by a simple connection to such power line (as opposed to a

more complex distribution system, such as would be required in an apartment complex or shopping center), then no further certification is needed.

- (2) If the use is a subdivision or is not located on a lot served by an existing power line or a substantial internal distribution system will be necessary, then the electric utility service provider must review the proposed plans and certify to the city that it can provide service that is adequate to meet the needs of the proposed use and every lot within the proposed subdivision.

20.60.430 Natural Gas Services.

Whenever it is legally possible to connect a lot with a natural gas line by running a connecting line not more than 500 feet from the lot to such line, then every lot within a new residential subdivision or short plat shall have available to it a source of natural gas adequate to accommodate the reasonable needs of such use and every lot within such subdivision.

20.60.440 Telephone Service.

Every principal use and every building lot within a subdivision must have available to it a telephone service cable adequate to accommodate the reasonable needs of such use and every lot within such subdivision. Compliance with this requirement shall be determined as follows:

- (1) If the use is not a subdivision and is located on a lot that is served by an existing telephone line and the use can be served by a simple connection to such power line (as opposed to a more complex distribution system, such as would be required in an apartment complex or shopping center), then no further certification is necessary.
- (2) If the use is a subdivision or is not located on a lot served by an existing telephone line or a substantial internal distribution system will be necessary, then the telephone utility company must review the proposed plans and certify to the city that it can provide service that is adequate to meet the needs of the proposed use and every lot within the proposed subdivision.

20.60.450 Underground Utilities.

(a) Except as noted in Subsections (b-~~ed~~), all existing, extended, and new electric power lines (not to include transformers or enclosures containing electrical equipment including, but not limited to, switches, meters, or capacitors which may be pad mounted), telephone, gas distribution, cable television, and other communication and utility lines in or adjacent to any land use or building permit approved after the effective date of this chapter shall be placed underground in accordance with the specifications and policies of the respective utility service providers and located in accordance with the administrative guideline entitled "Public Works Construction Standards and Specifications." Even in the event the distribution line originates from a point opposite any public roadway from the new construction the service lines shall be placed beneath said roadway by means of boring or surface excavation across said roadway.

~~(b) Building permits to construct a single one- or two-family residence shall not be required to underground existing utility lines.~~

~~(c)~~(b) Building permits for additions, alterations, or repairs within any 24-month period and equal to less than 50% of the total value of the existing building or structure shall not be subject to the requirements of this section.

~~(d) Existing utilities in alleys need not be undergrounded.~~

Commented [AR1]: Revised underground utilities. All new construction is required to provide utilities underground.

~~(c)~~ (c) If it is determined that an underground system cannot reasonably be installed according to accepted engineering practices, the requirements of this section may be waived upon receipt of a written notice from the appropriate utility service provider. Similarly, this requirement may be waived for small in-fill developments where the majority of the utilities along the street are still above ground and little more development is anticipated. In either case, such a waiver shall be noted in the permit or shall be construed as not being granted. If undergrounding of utilities is waived, the applicant must sign either a concomitant agreement or a no protest agreement of the formation of an L.I.D. for future undergrounding. Determination of which form of promissory shall be used shall be at the discretion of the ~~Public Works~~ Community and Economic Development Director. Additionally, the developer shall install the appropriate conduit for future undergrounding of the utilities in the appropriate place.

~~(d)~~ (d) Nothing in this section nor any other section in relation to underground utilities shall apply to power lines carrying a voltage of 15 kV or more, nor shall it be construed to prohibit the placement of said mounted transformers, terminal pedestal, or other electrical and communications devices above ground, as determined by the appropriate utility service provider involved.

20.60.460 Utilities To Be Consistent With Internal and External Development.

- (a) Whenever it can reasonably be anticipated that utility facilities constructed in one development will be extended to serve other adjacent or nearby developments, such utility facilities (e.g., water or sewer lines) shall be located and constructed so that extensions can be made conveniently and without undue burden or expense or unnecessary duplication of service. The Public Works Director shall approve the location. In all cases, utility lines shall extend to the common property line(s) of the subject property and the property(ies) anticipated to undergo future development.
- (b) All utility facilities shall be constructed in such a manner as to minimize interference with pedestrian or vehicular traffic and to facilitate maintenance without undue damage to improvements or facilities located within the development.

20.60.470 As-Built Drawings Required.

Whenever a developer installs or causes to be installed any utility line within the City, or connects to existing facilities within the City, the developer shall, as soon as practicable after installation is complete, and before acceptance of any sewer line, furnish the city with a copy of a drawing that shows the exact location of such utility lines. An electronic copy of the as-built drawings shall also be provided to the Department of Public Works. Both formats shall be in a format acceptable to the Director, and as specified in the "Public Works Construction Standards and Specifications." The utility service provider must verify such drawings as accurate. Compliance with this requirement shall be a condition of the continued validity of the permit authorizing such development.

20.60.490 Sites for and Screening of Dumpsters.

- (a) Every development that, under the City's solid waste collection policies, is or will be required to provide one or more dumpsters for solid waste collection shall provide sites for such dumpsters that are:

- (1) Located so as to facilitate collection and minimize any negative impact on persons occupying the development site, neighboring properties, or public rights-of-way, and
 - (2) Constructed according to specifications established by the Public Works Director to allow for collection without damage to the development site or the collection vehicle.
- (b) All such dumpsters shall be screened if and to the extent that, in the absence of screening, they would be clearly visible to:
- (1) Persons located within any dwelling unit on residential property other than that where the dumpster is located; or,
 - (2) Occupants, customers, or other invitees located within any building on nonresidential property other than that where the dumpster is located, unless such other property is used primarily for purposes permitted exclusively in a Light Industrial or General Industrial zoning district; or,
 - (3) Persons traveling on any public street, sidewalk, or other public way.
- (e) When dumpster screening is required under this section, such screening shall be constructed, installed, and located to prevent or remedy the conditions requiring the screening, per §20.46 (Design Standards).

Commented [AR2]: Added design code chapter.