

**ORIGINAL**

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ORDINANCE NO. 1374

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, ADDING NEW SECTIONS TO AND AMENDING THE REDMOND MUNICIPAL CODE AND COMMUNITY DEVELOPMENT GUIDE RELATING TO HAZARDOUS MATERIALS, DGA-86-12, APPROVING A SUMMARY THEREOF, AND ESTABLISHING AN EFFECTIVE DATE.

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WHEREAS, the Planning Commission has conducted a public hearing concerning proposed amendments to the Redmond Municipal Code and Community Development Guide, DGA-86-12, and has forwarded its recommendations to the City Council, and

WHEREAS, the City Council has considered the Planning Commission's recommendations and finds that the adoption of the provisions set forth below is in the interest of the health, safety and welfare of the citizens of the City, now, therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. Chapter 20E.80 of the Redmond Municipal Code and Community Development Guide is hereby amended to add a new section 20E.80.060(75), to read as follows:

20E.80.060(75) Replace Article 80 as follows: In lieu of Article 80, proposed Article 80, entitled "Hazardous Materials" as published in Part III of the March-April 1987 edition of the 1987 Annual Report of the Uniform Fire Code Committee of the Western Fire Chiefs Association, in its entirety, is hereby adopted and incorporated as fully as if set forth at length herein.

Section 2. Section 13.04.020 of the Redmond Municipal Code is hereby amended to read as follows:

13.04.020 Definitions. Words and phrases used herein, unless the same shall be contrary to or inconsistent with the context, shall mean as follows:

- (1) "B.O.D." (denoting biochemical oxygen demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty degrees centigrade, expressed in parts per million by weight;

- (2) "City engineer" includes an authorized representative;
- (3) "Licensed contractor, side sewer" means a bonded and licensed person approved by the City Engineer as qualified and competent to do work incidental to the construction or repair of side sewers under a permit issued under this chapter;
- (4) "Cover" means the depth of material lying between the top of the sewer or drain and the finished grade immediately above it;
- (5) "Health officer" means the officer responsible for the public health or his authorized representative;
- (6) "Downspout" means the leader or pipe above ground which is installed to conduct water from the roof gutter;
- (7) "Drain" means any conductor of liquids;
- (8) "Garbage" means solid waste from the preparation, cooking and dispensing of food, and from the handling, storage and sale of produce;
- (9) "Garbage, properly shredded" means garbage that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than three-eighths inch in any dimension;
- (10) "Hazardous materials" shall include such materials as flammable solids, corrosive liquids, radioactive materials, highly toxic materials, poisonous gases, reactive materials, unstable materials, hypergolic materials and pyrophoric materials and any substance or mixture of substances which is an irritant, a strong sensitizer or which generates pressure through exposure to heat, decomposition or other means.
- (11) "House drain" means the cast iron pipe used for conveying sewage, from the building to a point two and one-half feet outside the foundation wall, and, if there be no foundation wall, to a point two and one-half feet beyond the outer line of any footings, pilings, building supports, or porch under which it may run, whether such drain consists of one line extending from the building or of two or more such lines;
- (12) "Industrial wastes" mean the wastes from industrial process as distinguished from sanitary sewage;
- (13) "Natural outlet" means any outlet into a watercourse, pool, ditch, lake or other body of fresh, surface or ground water;
- (14) "Parking strip, inside" means that portion of the street area lying between a public sidewalk location and the property line;
- (15) "Parking strip, outside" means that portion of the street area lying between a public sidewalk location and the curb location;
- (16) "Permit card" means a card issued in conjunction with any permit. The card shall be posted on the premises and shall be readily and safely accessible to the City Engineer;
- (17) "Person" means any individual, firm, company, association, society, corporation or group;
- (18) "pH" means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution;

- (19) "Public place" or "public area" means any space dedicated to or acquired by the City for the use of the general public;
- (20) "Sewage" means a combination of the water carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface and storm water as may be present;
- (21) "Sewage works" means all the facilities for collecting, pumping, treating and disposing of sewage;
- (22) "Sewage treatment plant" means any arrangement of devices and structures used for treating sewage;
- (23) "Sewer" means a pipe or conduit for carrying sewage;
- (24) "Sewer plat" means a plat issued by the City Engineer in conjunction with any permit. The plat shall serve as his record of all matter pertaining to the permit;
- (25) "Sewer, public" means a sewer in which all owners of abutting properties have equal rights and which is controlled by public authority;
- (26) "Sewer, sanitary" means a sewer which carries sewage and to which storm, surface and ground water are not intentionally admitted;
- (27) "Sewer, storm" means a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes;
- (28) "Sidewalk" means the walkway in the public area lying parallel or generally parallel to the roadway. If the walk is not yet paved all measurements shall be based on location and elevation established by the City Engineer;
- (29) "Suspended solids" means solids that either float on the surface of or are in suspension in water, sewage, or other liquids and which are removable by filtering;
- (30) "Watercourse" means a channel in which a natural flow of water occurs or has occurred either continuously or intermittently.

Section 3. Section 13.04.360 of the Redmond Municipal Code is hereby amended to read as follows:

13.04.360 Substances Prohibited in Sewers. It is unlawful to discharge or cause to be discharged any of the following described waters or wastes in any public sewer, drain, ditch, or natural outlets.

- 1) Any liquid or vapor having temperature higher than one hundred and fifty degrees fahrenheit;
- 2) Any water or waste which contains more than one hundred parts per million by weight of fat, oil, or grease;
- 3) Any gasoline, benzine, naptha, oil, or other flammable or explosive liquid, solid, or gas;
- 4) Any garbage that has not been properly shredded;
- 5) Any ashes, cinders, sand, mud, straw, hair, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substances capable of causing an obstruction to the flow of sewers or other

- interference with the proper operation of the sewage works;
- 6) Any waters or wastes having a pH lower than five and five-tenths, or higher than eight and five-tenths, or having any other corrosive property capable of causing damage or hazard to structure, equipment, or personnel of the sewage works;
  - 7) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans, animals, fish or fowl, or create any hazard in the receiving waters of the sewage treatment plant;
  - 8) Any waters or wastes containing suspended solids of such character and quantity, that unusual attention or expense is required to handle such materials at the sewage treatment plant;
  - 9) Any obnoxious or malodorous gas or substance capable of creating a public nuisance;
  - 10) Any hazardous material, unless prior approval is obtained from the City Engineer.

Section 4. Subsection 20C.10.260(10) of the Redmond Municipal Code and Community Development Guide is hereby amended to read as follows:

20C.10.260(10) Development Limitation Areas Maps.  
 The Development Limitations Areas are delineated on the map entitled, "Development Limitation Areas," and the map entitled "Intensive Aquifer Recharge Areas," which are incorporated as a part of this subsection.

- a) Supporting Data. The Development Limitation Areas Map is based on maps and technical data on file in the Department of Planning and Community Development and contained in Section 20B.10, "Natural Features."
- b) Classification Categories. The Development Limitation categories are based on the following combinations of features:

VERY SEVERE DEVELOPMENT LIMITATIONS

- Slopes 40% and over
- Slopes 25-40%, Class 3 Landslide Hazard, Class 3 Earthquake Hazard, and Severe Erosion Hazard
- Lands within the 100-Year Floodway

SEVERE DEVELOPMENT LIMITATIONS

- Slopes 15-25%, Class 2 Landslide Hazard, Class 3 Earthquake Hazard, and Severe Erosion Hazard
- Slopes 15-25%, Class 3 Landslide Hazard, and Severe Erosion Hazard
- Slopes 25-40%, Class 3 Earthquake Hazard, and Severe Erosion Hazard
- Slope 25-40%, and Severe Erosion Hazard
- Wetlands, and Class 3 Earthquake Hazard

MODERATE DEVELOPMENT LIMITATIONS

- Slopes 15-25%, Class 3 Earthquake Hazard, and Severe Erosion Hazard
  - Slopes 15-25%, Class 2 Landslide Hazard, and Severe Erosion Hazard
  - Slopes 15-25%, Class 2 Earthquake Hazard, and Severe Erosion Hazard
  - Seasonal Wetlands, and Class 3 Earthquake Hazard
  - Lands within the 100-Year Flood Fringe, Class 3 Earthquake Hazard, and Seasonal Wetlands
  - Lands in the intensive aquifer recharge areas.
- (c) Determining Precise Location of Development Limitation Areas - To more accurately determine the location of development limitation areas, the City may require additional information with development proposals. Anyone disputing the location of a development limitation area shall have the burden of proving that the areas are incorrectly mapped. The Development Limitation Areas Map shall be modified administratively as new information becomes available to the City.

Section 5. Subsection 20C.10.260(20) of the Redmond Municipal Code and Community Development Guide is hereby amended to read as follows:

20C.10.260(20) Exceptions.

- (a) Very Severe Limitation Areas - The determination of lot area may include very severe classified areas if 50% or less of the proposed lot area is very severe and the lot is in an A, G, RE, or R-I zone.
- (b) Moderate Limitation Areas - Moderate areas may utilize the lot coverage requirements of 20C.10.250, "Site Requirements," if the applicant can demonstrate to the Technical Committee's satisfaction that the physical limitations can be overcome through engineering, architecture or site design.
- (c) Moderate Limitation Areas - Hazardous Materials - In the case of lands designated as intensive aquifer recharge areas, full utilization of lot coverage requirements may also be available to developments locating in moderate areas if the applicant can document to the Technical Committee's satisfaction that hazardous materials will not be used on the site, or, if they are to be used, if the applicant can demonstrate to the Technical Committee's satisfaction that potential risks can be mitigated through design of the structures or site layout, and when applicable, that the requirements of Section 20C.10.260(20)(b) have been met.
- (d) Open Space Requirement - Very severe lands shall be maintained in open space by a method agreeable to the City. Such methods may include dedication, deed restrictions, or ownership held-in-common.

Section 6. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or

unconstitutional 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 7. This ordinance or a summary thereof shall be published in the official newspaper of the City, and shall take effect and be in full force thirty (30) days after the date of publication.

APPROVED:

Doreen Marchione  
MAYOR, DOREEN MARCHIONE

ATTEST/AUTHENTICATED:

Doris A. Schaible  
CITY CLERK, DORIS A. SCHAIBLE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY Juan C. Juven

FILED WITH THE CITY CLERK: May 28, 1987  
PASSED BY THE CITY COUNCIL: June 2, 1987  
PUBLISHED: June 7, 1987  
EFFECTIVE DATE: July 7, 1987  
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