

Vote: Cox, Menard, Metiva, O'Neil in favor; and Ewing and Straub oppose

**CITY OF WASILLA
ORDINANCE SERIAL NO. 05-83**

AN ORDINANCE OF THE WASILLA CITY COUNCIL AMENDING WMC 13.04.190 WATER MAIN EXTENSIONS BY PRIVATE DEVELOPERS AND WMC 13.08.100 SEWER EXTENSIONS BY PRIVATE DEVELOPERS TO PROVIDE THAT A WATER MAIN OR SEWER EXTENSION AGREEMENT IS SUBJECT TO COUNCIL APPROVAL ONLY WHEN THE EXTENSION BENEFITS OTHER PROPERTIES.

* **Section 1. Classification.** This ordinance is of a general and permanent nature and shall become part of the city code.

* **Section 2. Amendment of section.** WMC 13.04.190.B, Water main extensions by private developers--Authority, is amended to read as follows:

B. Authority. A private developer may extend a city water main only under the terms of a water main extension agreement with the city [APPROVED BY THE CITY COUNCIL]. The city will approve and accept a water main extension only if the extension conforms to city standards and specifications, the plans for the extension have been approved by the city and the state of Alaska, the developer has paid all fees and charges required for connection to the city water system, and the developer has signed the water main extension agreement. If the water main extension will benefit other properties, the water main extension agreement is subject to approval by the council.

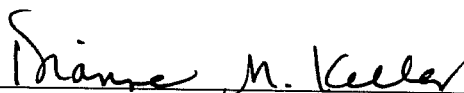
* **Section 3. Amendment of section.** WMC 13.08.100.B, Sewer-Extensions by private developers, is amended to read as follows:

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B. A private developer may extend a city sewer lateral, interceptor or trunk only under the terms of a sewer system extension agreement with the city. [AFTER CONDUCTING PUBLIC HEARINGS (WITH NOTICE GIVEN TO INTERESTED PROPERTY OWNERS TO BE BENEFITED BY THE PROPOSED EXTENSION) AND UPON APPROVAL OF COUNCIL, SEWER LATERALS, INTERCEPTORS OR TRUNKS MAY BE EXTENDED BY PRIVATE DEVELOPERS.] Any such extensions shall be performed in accordance with city specifications and standards. Extensions or improvements will not be allowed or accepted unless the plans have been approved by the city and by the Alaska Department of Environmental Conservation, and the developer has signed and met the terms and conditions of the [A] sewer system extension agreement [WITH THE CITY]. The design standards and conditions shall become a part of the extension agreement and may be altered from time to time as the council deems necessary. If the extension will benefit other properties, the sewer system extension agreement is subject to approval by the council.


* **Section 4. Effective date.** This ordinance shall take effect upon adoption of the Wasilla City Council.

ADOPTED by the Wasilla City Council on November 14, 2005.



DIANNE M. KELLER, Mayor

ATTEST:



KRISTIE SMITHERS, MMC
City Clerk

[SEAL]

Bold and underline added. [CAPS AND BRACKETS, DELETED.]



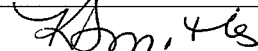


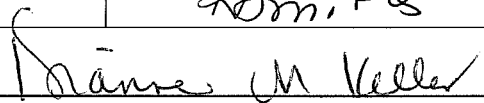
**CITY OF WASILLA
LEGISLATION STAFF REPORT**

RE: ORDINANCE SERIAL NO. 05-83: AMENDING WMC 13.04.190 WATER MAIN EXTENSIONS BY PRIVATE DEVELOPERS AND WMC 13.08.100 SEWER EXTENSIONS BY PRIVATE DEVELOPERS TO PROVIDE THAT A WATER MAIN OR SEWER EXTENSION AGREEMENT IS SUBJECT TO COUNCIL APPROVAL ONLY WHEN THE EXTENSION BENEFITS OTHER PROPERTIES.

Agenda of: October 24, 2005
Originator: Public Works Director

Date: October 14, 2005

Route to:	Department	Signature/Date
X	Public Works Planning	
X	Finance *signature required	
X	Clerk	

REVIEWED BY MAYOR DIANNE M. KELLER: 

FISCAL IMPACT: yes or no Funds Available yes no

Account name/number:

Attachments: None

SUMMARY STATEMENT: The original intent of this code section is to provide for council approval before adjacent or "benefited" properties can be assessed a portion of the private developer's cost of the main line extension. Assessments cannot be levied against properties without council approval, and this will not change.

The majority of main line extensions do not result in main line assessments to adjoining properties. When a private developer extends water or sewer service onto their property, they are required to fully fund the extension, provide for all the necessary engineering design and inspections, meet all the requirements of the Wasilla Municipal Code, and obtain all the necessary permits.

When developers meet all the requirements of the code and do not have adjoining properties for which they are seeking reimbursement, there is an expectation from the Regulatory Commission that these be accepted by the City. This code amendment allows this to occur without a public hearing.

RECOMMENDED ACTION: Council is requested to approve the amendment to this code section that will bring the code in line with the goals of the Regulatory Commission.