



CITY OF KIRKLAND
Department of Public Works
123 Fifth Avenue, Kirkland, WA 98033 425.587.3800
www.ci.kirkland.wa.us

MEMORANDUM

To: Dave Ramsay, City Manager

From: Stacey Rush, Surface Water Utility Engineer
Daryl Grigsby, Director of Public Works

Date: 08/29/06

Subject: Repeal of KMC 15.36.090

The attached ordinance repeals existing Kirkland Municipal Code (KMC) 15.36.090 (see text below):

KMC Title 15 Water and Sewage

15.36.090 Drainage of hard surface or graded areas.

All hard surface or graded areas such as parking lots, service station yards, and roofs shall be drained in such manner as will protect adjacent public and private property from damage and such drainage shall enter the storm sewer or other outlet by way of an interceptor of such design as is approved by the city engineer. (Ord. 3086 § 31, 1988; Ord. 874 § 37.0, 1962)

The primary reason Public Works is requesting to repeal this ordinance is because the code is no longer needed or used. KMC15.36.090 is in an older section of code relating primarily to sanitary sewer and before storm water drainage was a separate utility (KMC 15.36 *Drainage and Discharge into Sewers Regulated*). It was in place prior to the addition of KMC Section 15.52 (*Storm Water Drainage*), which is the current storm water section of code used by the City. Section 15.52 contains adequate code enforcement procedures to address this issue.

Another reason to repeal 15.36.090 is because it is not specific, and it puts the city in the middle of private property disputes, even when no actual threat to either property exists. These cases would be better resolved through a civil litigation process.

cc: Rob Jammerman, Development Engineering Manager
Jenny Gaus, Senior Stormwater Utility Engineer

ORDINANCE NO. 4058

AN ORDINANCE OF THE CITY OF KIRKLAND REPEALING SECTION 15.36.090 OF THE KIRKLAND MUNICIPAL CODE RELATING TO DRAINAGE OF HARD SURFACE OR GRADED AREAS.

The City Council of the City of Kirkland do ordain as follows:

Section 1. Kirkland Municipal Code Section 15.36.090 is hereby repealed.

Section 2. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in open meeting this ____ day of _____, 2006.

Signed in authentication thereof this ____ day of _____, 2006.

MAYOR

Attest:

City Clerk

Approved as to Form:

City Attorney