

## ORDINANCE NO. 820

AN ORDINANCE OF THE CITY OF WARDEN,  
WASHINGTON, CREATING A NEW CHAPTER 13.10, TITLED  
“RECLAIMED WATER” OF THE WARDEN MUNICIPAL  
CODE

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

*Section 1.* Creation. Warden Municipal Code Chapter 13.10 entitled “Reclaimed Water” is hereby  
added to read as follows:

### **Chapter 13.10 RECLAIMED WATER**

Sections:

- 13.10.010 Reclaimed water reuse policy and management requirements.
- 13.10.020 Cross-Connection Control and Use Area Requirements.
- 13.10.030 Inspection of Reuse System.
- 13.10.040 Ownership of Water Reuse System.
- 13.10.050 Reclaimed Water Rates.
- 13.10.060 Legal requirements.

#### **13.10.010 Reclaimed water reuse policy and management requirements.**

It is the policy of the city that reclaimed water shall be used within its jurisdiction wherever feasible, and consistent with legal requirements. All reclaimed water produced by the city shall be managed in accordance with the requirements of this chapter, as well as state of Washington laws and regulations governing municipal wastewater reuse.

- A. Allowable Uses. The city shall develop and maintain a reclaimed water master plan. The plan shall require city council approval and shall include:
  - 1. Designated uses for reclaimed water, including allocated quantities for specific uses;
  - 2. Designated areas of the city within which construction and use of a reclaimed water system shall be encouraged; and
  - 3. The location of a pipeline transmission system as a basis of supply for a local reclaimed water distribution system.
- B. Use of reclaimed water is intended to limit potable water requirements within a residential development to that used in swimming pools, household laundries, kitchens, bathroom tubs, showers, and lavatories. Use of water-saving devices

on fixtures and a public attitude to avoid waste will result in a significant reduction in the use and consumption of potable water.

- C. Use of reclaimed water may include any and/or all of the following uses that do not require potable water:
  - 1. Groundwater recharge;
  - 2. Irrigation of golf courses and other recreational areas;
  - 3. Lawn, garden, and landscaping irrigation (includes commercial, residential, institutional);
  - 4. Industrial (boiler feed water, cooling water, or wash-down);
  - 5. Construction (dust control, compaction density control, concrete mixing); and
  - 6. Toilet flushing.
- D. Use of reclaimed water requires adherence to cross-connection control requirements as defined in this chapter and the city's cross connections ordinance (Chapter 13.08) to prevent the introduction of reclaimed water into any part of the city's drinking water system.
- E. The use of reclaimed water may be separately metered for each connection, as is the case for potable water, and appropriate rates will be established by the city council for the use of reclaimed water.
- F. The city shall develop sources and supply reclaimed water to local distribution systems within the developed areas for irrigating lawns, gardens, trees, shrubbery, golf courses, and open space in and adjacent to the city.
- G. Commercial and industrial customers presently using potable water will be encouraged to use reclaimed water wherever such use is safe and practicable, not only for landscape irrigation but in any process not requiring the use of potable water. To assist commercial and industrial users in evaluating possible uses of reclaimed water, the city will provide appropriate reclaimed water quality analysis.
- H. Reuse Connection Policy.
  - 1. Where the reclaimed water distribution system is not under the direct control of the city, a binding agreement shall be obtained to ensure that construction, operation, maintenance, and monitoring meet all requirements of Ecology. This agreement shall be consistent with the requirements of the Water Reclamation and Reuse Standards, 1997 and as amended, and Chapter 173-219 WAC. A copy of each agreement shall be submitted to Ecology prior to implementation.
  - 2. Within individual new development areas, a separate reclaimed water distribution system shall be installed in accordance with city engineering and construction standards when, in the opinion of the city, such installation is required to satisfy current planning for the distribution and use of

reclaimed water as established by the reclaimed water master plan, or subsequent revisions. Costs for the installation of a nonpotable water distribution system shall be borne by the owner/developer. Applications for all new development shall include provisions for the use of reclaimed water and shall identify the method(s) of cross-connection control proposed for the reuse application.

3. Exceptions.

- a. Installation of a reclaimed water distribution system shall not be required when all uses associated with the development require the use of potable water;
- b. Installation of a reclaimed water distribution system shall not be required upon demonstration of all of the following conditions;
  - i. The strict enforcement of the provisions of this title creates an unnecessary hardship to the property owner; and
  - ii. The exception is necessary because of the unique size, shape, topography, or location of the subject property; and
  - iii. The subject property is deprived, by provisions of this title, of rights and privileges enjoyed by other properties in the vicinity and under an identical zone and within the reclaimed water service area; and
  - iv. The need for the exception is not the result of deliberate actions of the owner/developer; and
  - v. The exception is the minimum necessary to grant relief to the applicant.

**13.10.020 Cross-Connection Control and Use Area Requirements.**

Prior to connecting a use to the reclaimed water system, the public potable water supply shall be protected by installation of an approved cross-connection control assembly in accordance with this code. The reclaimed water distribution system shall include special considerations to avoid cross-connections with the potable water system, in accordance with this code. The following features shall be included in reclaimed water systems to protect the public health:

- A. Reclaimed water distribution systems shall be constructed with purple pipe (Pantone 512, 522, or other shades of purple acceptable to review agencies) and embossed or integrally stamped or marked “CAUTION: RECLAIMED WATER — DO NOT DRINK” or be installed with a purple (Pantone 512 or other shades of purple acceptable to review agencies) identification tape or polyethylene vinyl wrap. The warning shall be stamped on opposite sides of the pipe and repeated every three feet or less;
- B. Square valve box covers painted purple (Pantone 512, 522 or other shades of purple acceptable to review agencies) to distinguish from potable water system valve boxes;
- C. Purple strip on street curb to identify reclaimed water customer;

- D. Reclaimed water meters color coded with tape to distinguish from potable water meters (where applicable). Meters, covers and meter box covers should be cast to indicate reclaimed water;
- E. Signs or other notification stating “RECLAIMED WATER DO NOT DRINK” shall be placed on or near hose bibbs or other connection points. All hoses and/or other temporary distribution/irrigation systems conveying reclaimed water shall be marked in the same manner as required for a fixed distribution system.
- F. Tank trucks and other equipment used to distribute reclaimed water shall be clearly identified with advisory signs. The tank trucks used to transport reclaimed water shall not be used to transport potable water that is used for drinking or other potable purposes. The tank trucks used to transport reclaimed water shall not be filled through on-board piping or hoses that may subsequently be used to fill tanks with water from a potable water supply. Tank trucks used to transport reclaimed water shall be inspected and approved for such use by the city prior to transporting reclaimed water.

**13.10.030      Inspection of Reuse System.**

To ensure that the provisions of city ordinances, regulations, and procedures are being observed, the city reserves the right and privilege of inspecting, removing, and/or securing any or all devices installed by the customer which connect to or control the reclaimed water.

- A. Inspections without cause to believe that an ordinance or regulation is being violated shall be at reasonable times and shall not exceed a reasonable frequency.
- B. Inspections where there is reasonable cause to believe that an ordinance or regulation is being violated shall be at such times and shall occur with such frequency as is necessary to establish that an ordinance is or is not being violated.

Each customer of reclaimed water shall give prior written consent to entry upon his or her premises for the purposes of inspecting the reclaimed water system, and thereby waives any other written notice for such inspection. Failure of the city to obtain such a written waiver shall not affect the right of the city to proceed pursuant to this code.

Refusing to permit an authorized city agent or employee to enter onto the premises for the purposes of inspecting the customer’s reclaimed water system pursuant to this section shall constitute a violation of this section and shall be grounds for immediate discontinuance of reclaimed water service by the city to the subject premises.

**13.10.040 Ownership of Water Reuse System.**

All constructed reclaimed water facilities and appurtenances, other than indoor plumbing and irrigation systems, shall be accepted by the city, and shall become and remain the property of the city. No person shall by payment of any charges provided herein, or by causing any construction of the facilities accepted by the city, acquire any interest or right in any of these facilities, or any portion thereof, other than the privilege of having their property connected thereto for reclaimed water services in accordance with this chapter.

**13.10.050 Reclaimed Water Rates.**

In accordance with RCW 90.45.120, revenues obtained from the reclaimed water shall be used only to offset the cost of operation of the wastewater utility fund or other applicable sources of system wide funding.

	Inside City Limits	Within UGA
Charge for Reclaimed Water	\$.25/1000 gallons	\$.35/1000 gallons
Charge for Reclaimed Water at metered pumping station at Reclamation Facility	\$.75/1000 gallons	

**13.10.060 Legal requirements.**

- A. Rules and Regulations. The city administrator is charged with administration and enforcement of this chapter. Reclaimed water service to any premises served by the city reclaimed water system may be discontinued for any violation or abridgement of the provisions of this chapter or the user agreement, after due notice thereof. In the event reclaimed water service is discontinued for failure to comply with provisions of this chapter it shall remain terminated for the duration of such noncompliance.
- B. Damaging or Interfering with Water System. It is unlawful for any person to willfully disturb, break, deface, or damage any reclaimed water fire hydrant, reclaimed water meter, gate valve, water pipe or other reclaimed waterworks appurtenance together with the buildings, grounds, and improvements thereon belonging to or connected with the reclaimed water system of the city in any manner whatsoever. It is unlawful for any person to open, close, turn, or interfere with, or attempt to, or to connect with any reclaimed water fire hydrant, valve, or pipe belonging to the city unless authorized by the city in writing.
- C. Injunction. Whenever the use of reclaimed water is in violation or threatens to cause a violation of this chapter, the city attorney may seek injunctive relief as maybe appropriate to enjoin such discharge or use.

- D. User Agreement Revocation. In addition to any other statute or rule authorizing termination of reclaimed water service, the city may revoke a reclaimed water user agreement issued hereunder if a violation of any provision of this chapter is found to exist or if a discharge of wastes or use of reclaimed water causes or threatens to cause violation of this chapter.
- E. Penalty. Any person or entity who violates this chapter shall, for each day of violation, or portion thereof, be deemed to have committed a civil infraction and for each violation shall be subject to a C-1 civil penalty pursuant to Section 1.20.030. In addition, reclaimed water and potable water service to the property may be discontinued where the violation relates to the service to the property.

**Section 2. Effective date.** This ordinance shall be in full force and effect five days after its passage and publication of its summary as provided by law.

PASSED by the City Council of the City of Warden, Washington, this 29th day of October, 2021.

*/s/ Tony Massa*

---

Tony Massa, Mayor

ATTEST:

*/s/ Kristine Shuler*

---

Kristine Shuler, City Clerk

APPROVED AS TO FORM:

KLK

---

Katherine L. Kenison, City Attorney

PASSED the \_\_12th\_\_ day of \_October\_\_\_\_, 2021.

APPROVED the \_\_12th\_\_\_\_ day of \_October\_\_\_\_, 2021.

PUBLISHED the \_\_29th\_ day of \_October\_\_\_\_, 2021.