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SPOKANE, WA

CITY OF SPOKANE ADMINISTRATIVE POLICY AND PROCEDURE	ADMIN 5200-16-03 LGL 2016-0020
TITLE: DUTY TO PROVIDE WATER SERVICE EFFECTIVE DATE: March 18, 2016 REVISION EFFECTIVE DATE: N/A	

1.0 GENERAL

1.1 The City of Spokane ("City") Water and Hydroelectric Services Department owns and operates a public water system; and is the regional water purveyor. The City has a duty to provide water to new service connections within the retail water service area, when such service is available in a timely and reasonable manner; there exists sufficient water rights to provide water service; there exists sufficient capacity to provide water service in a safe and reliable manner under Washington State Department of Health regulations; and such service is consistent with the requirements of local plans and regulations and the City's utility service extension ordinances. (WAC 246-290-106).

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2.0 DEPARTMENTS/DIVISIONS AFFECTED

This policy shall apply to the City Water and Hydroelectric Services Department.

3.0 REFERENCES

- RCW 35.92.020
- RCW 36.70A.030
- RCW 36.70A.110
- WAC 246-290-106
- WAC 246-290-108
- City of Spokane Comprehensive Plan CFU 3.6
- Comprehensive Water System Plan figure 1.8.0a
- SMC 13.04.1921
- SMC 13.04.1922

4.0 DEFINITIONS

None

5.0 POLICY

- 5.1 Domestic water service is a rural and urban governmental service and the City of Spokane is the regional water purveyor. Therefore the City has a duty to provide service to new water service connections within its retail water service area as outlined in the Comprehensive Water System Plan when:
- a. Water service is available in a timely and reasonable manner;
 - b. There exist sufficient water rights available to provide water service;
 - c. There is sufficient capacity to serve in a safe and reliable manner per the Department of Health rules and regulations; and
 - d. Extension of service is consistent with the requirements of local plans and regulations, including the City's Water System Plan and utility service extension ordinances.
- 5.2 City water service is intended to provide for the needs of the residents of the City and for residents outside the City who are within the City's Retail Service Area. Pursuant to RCW 35.92.020, the City may enter into agreements for extension of water service outside the City's boundaries upon terms and conditions, when there is a determination that such extension will not overload or imperil the City's water system, including domestic and fire flow pressure, supply resources and municipal water rights, all as may be needed by current or future city customer needs, and are subject to any other applicable laws or regulations. (SMC 13.04.1922). Therefore, customers outside the City must complete an annexation covenant and service agreement as a condition of water service.
- 5.3 The City's Comprehensive Water System Plan provides for extension of water service beyond the City's boundaries and inside the Retail Service Area as identified in Chapter 1, Figure 1.6.1
- 5.4 Request for City Water Service outside the existing Retail Service area as identified in the Comprehensive Water System Plan in Chapter 1, Figure 1.6.1 are dependent upon the completion of the City's Application and Certificate of Water Availability form. Changing the Retail Water Service boundaries to provide water service to areas outside the current Retail Water Service Area requires a City Council approved amendment to the City's Water System Plan.
- 5.5 The City's comprehensive plan provides that it is appropriate to extend or expand water services outside the UGA in limited circumstances which are shown to be necessary to protect basic public health and safety and the environment and when such services are financially supportable at rural densities and do not permit urban development. (CFU 3.6; RCW 36.70A.110(4)).

6.0 PROCEDURE

- 6.1 Analysis Needed For Requests To Provide Water Service.

6.1.1 Requests Inside City Boundaries:

Duty to Serve

6.1.2 Outside City boundaries - Inside Retail Water Service Area:

Duty to Serve Inside Water Service Area Subject To Limitations:

- a. Water service is available in timely and reasonable manner as determined by City Utility;
- b. There are sufficient water rights to provide water service;
- c. There is sufficient capacity to serve in a safe and reliable manner;
- d. It is consistent with requirements of local plans and regulations and the City's Water System Plan and utility service extension ordinances;
- e. Annexation covenant must be signed, as applicable;
- f. Written contract with cost allocation, indemnity and all applicable liabilities; and
- g. Developer agrees to pay one hundred percent (100%) costs of construction; liability; indemnification; permitting without sewer and all applicable liabilities.

6.1.3 Outside City Boundaries – Prior Commitment to Serve Inside Future Service Area:

The City will honor prior commitments for water service. In the case of a prior commitment for water service, the vested water capacity exists with the commitment and the parcels included in the prior commitment will be included in the retail water service area and service will be analyzed and provided pursuant to paragraph 6.1.2.

6.1.4 Outside Retail Water Service Area – Inside Future Water Service Area:

The City will evaluate any new requests for retail water service which are outside the City's retail water service area within 120 days of the request or as prescribed by State Law, pursuant to the flow chart for retail water service requests, as attached hereto. It is the policy of the City to ensure that requests for expansion of the Retail Service Area be considered at least annually.

No Duty to Serve outside Retail Service Area unless amend Retail Service Area:

- a. Amendment to Retail Service Area requires a City Council approved amendment to the Water System Plan/Retail Service Area.
- b. Amended Water System Plan is subject to approval by Department of Health.
- c. Extension of service necessary to protect basic health / safety / environment and does not conflict with GMA requirements.

6.1.5 Outside Water Service Area:

No Duty to Serve

Wholesale Water Supply Agreement or Interlocal Agreement subject to City Council approval.


7.0 RESPONSIBILITIES

The City of Spokane Water and Hydroelectric Services Department shall administer this policy.

8.0 APPENDICES

Water Service Area Chart
Flow Chart for Retail Water Service Requests

APPROVED BY:



 City Attorney

3/3/16

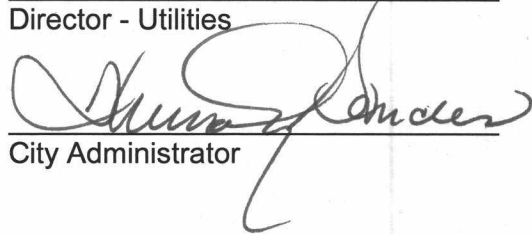
 Date

Scott Simmons

 Director - Utilities

3/3/16

 Date



 City Administrator

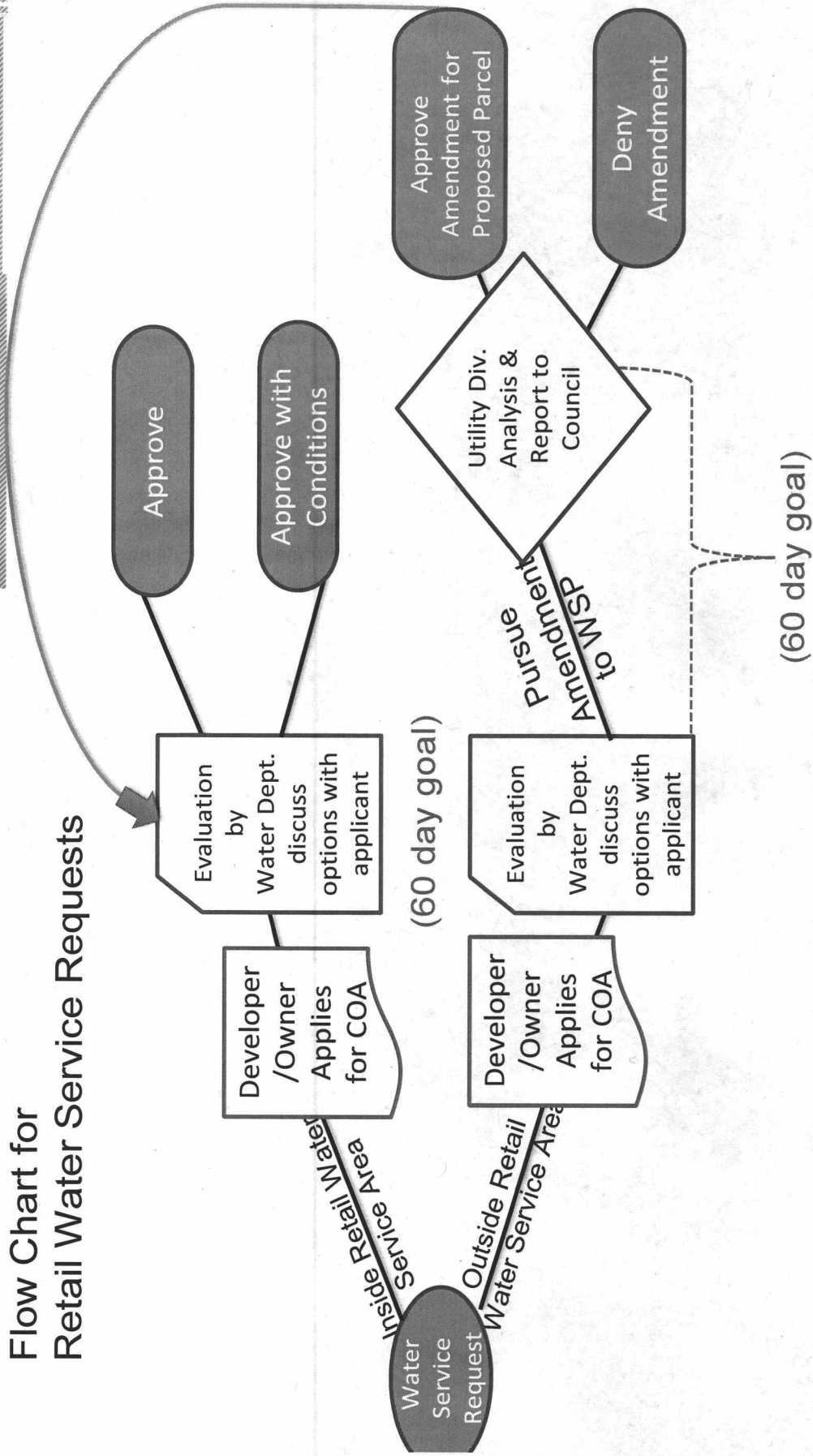
3/3/16

 Date

Water Service Areas:

Inside City Boundaries	Outside City boundaries – Inside Retail Water Service Area	Outside Retail Water Service Area	Outside Water Service Area Wholesale Water Service Agreements
<p>Duty To Serve</p>	<p>Duty To Serve inside water service area – subject to limitations:</p> <ol style="list-style-type: none"> 1. Water is available in timely and reasonable manner as determined by City Utility 2. Sufficient water rights available to provide water service 3. Sufficient capacity to serve in safe and reliable manner 4. Consistent with requirements of local plans and regulations and the City's utility service extension ordinances 5. Annexation covenant must be signed 6. Written contract with cost allocation, indemnity, applicable liabilities 7. Developer to pay 100% costs of construction; liability; indemnification; permitting with or without sewer 	<p>No Duty To Serve outside Retail Water Service Area unless:</p> <ol style="list-style-type: none"> 1. City Council approves amendment of RSA 2. Requires DOH approval 3. Water is available in timely and reasonable manner 4. Sufficient water rights available to provide water service 5. Sufficient capacity to serve in safe and reliable manner 6. Consistent with requirements of local plans and regulations and the City's utility service extension ordinances including Water System Plan and service area boundaries 7. Annexation covenant must be signed 8. Developer to pay 100% costs of construction; liability; indemnification; permitting with or without sewer and applicable liabilities 9. Extension of service is necessary to protect basic health/safety/environment 	<p>No Duty to Serve</p> <p>Wholesale / water supply agreement or interlocal agreement subject to City Council approval.</p> <p>Sufficient water rights to provide water service</p> <p>Sufficient capacity to serve in safe and reliable manner</p> <p>Consistent with requirements of local plans and regulations and the City's utility service extension ordinances and Water System Plan</p> <p>Subject to approval by the Department of Health</p> <p>AND</p> <p>May Require an amendment to the Water System Plan</p>

Flow Chart for Retail Water Service Requests



Proposed, Jan. 2015