

ORDINANCE NO. 37-20

AN ORDINANCE of the City of Richland amending Richland Municipal Code Section 18.16.080 related to restrictions in the use of treated potable water for landscape irrigation.

WHEREAS, the City has need, from time to time, to update the Richland Municipal Code (RMC) to eliminate ambiguity and align with current practices; and

WHEREAS, the City's Water Utility is the provider of treated potable water to properties within Richland city limits and to some properties outside the city limits, but within the City's urban growth boundary; and

WHEREAS, the City's best interests are served by applying water resources and treatment technology in the most cost-effective manner; and

WHEREAS, where untreated non-potable water supplies are available for landscape irrigation, it is most cost-effective to fully leverage these resources rather than apply potable water treatment resources to landscape irrigation use; and

WHEREAS, RMC 18.16.080, codified in 1979, restricts the use of treated potable water for landscape irrigation purposes for large portions of the City south of the Yakima River; and

WHEREAS, the limitations codified in RMC 18.16.080 allowed the City to construct and operate potable water distribution facilities for portions of the City south of the Yakima River at lower cost and capacity than would be needed to supply all landscape irrigation water with potable water resources; and

WHEREAS, the City also developed untreated landscape irrigation supply systems at Columbia Point, Horn Rapids, and at a small area near Hanford Street; and

WHEREAS, both the text and the map found in RMC 18.16.080 are outdated; and

WHEREAS, amendment is necessary to ensure clear and accurate regulations that identify the most cost-effective water resources needed to support orderly development as identified in the City of Richland's Comprehensive Land Use Plan.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. Richland Municipal Code Section 18.16.080, entitled Use for irrigation purposes restricted, as first enacted by Ordinance No. 96-79, and last amended by Ordinance No. 06-10, is hereby amended to read as follows:

18.16.080 Use for irrigation purposes restricted – Penalties.

The furnishing of potable water service to single family residential properties users in the area indicated as Lands with Restricted Potable Water Use for Residential Landscape Irrigation on ~~the map titled~~ **Exhibit A** attached to the ordinance codified in this section is for indoor sanitary domestic, culinary and limited outdoor irrigation use only. ~~and it~~ is unlawful for the owner or occupant of any premises supplied with city potable water service in outside these areas of Richland ~~south of the Yakima River~~ to use potable any water supplied by the city in for any automatic water sprinkling or irrigation system. ~~and it is further unlawful in such area for any person to make any connection to the water service line between the water meter and the residence served.~~

~~Single-family residential lots containing less than 1,000 square feet of pervious area, and located on ground sloped at greater than six percent, or property zoned for commercial uses, are exempted from the above paragraph.~~

The city may refuse to supply potable water and may disconnect the potable water service to any premises upon which a connection is made or water is used in violation of this section, and in addition to any penalty imposed under RMC 18.32.040, any person in violation of this section shall be liable for the cost and expense of such disconnection, which shall be recovered by the city in any action brought for such violation.

Section 2. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 3. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 4. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 3rd day of November, 2020.



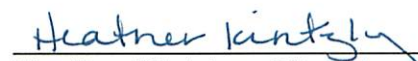
Ryan Lukson, Mayor

Attest:



Jennifer Rogers, City Clerk

Approved as to form:



Heather Kintzley, City Attorney

Date Published: November 8, 2020

EXHIBIT A - 18.16.080

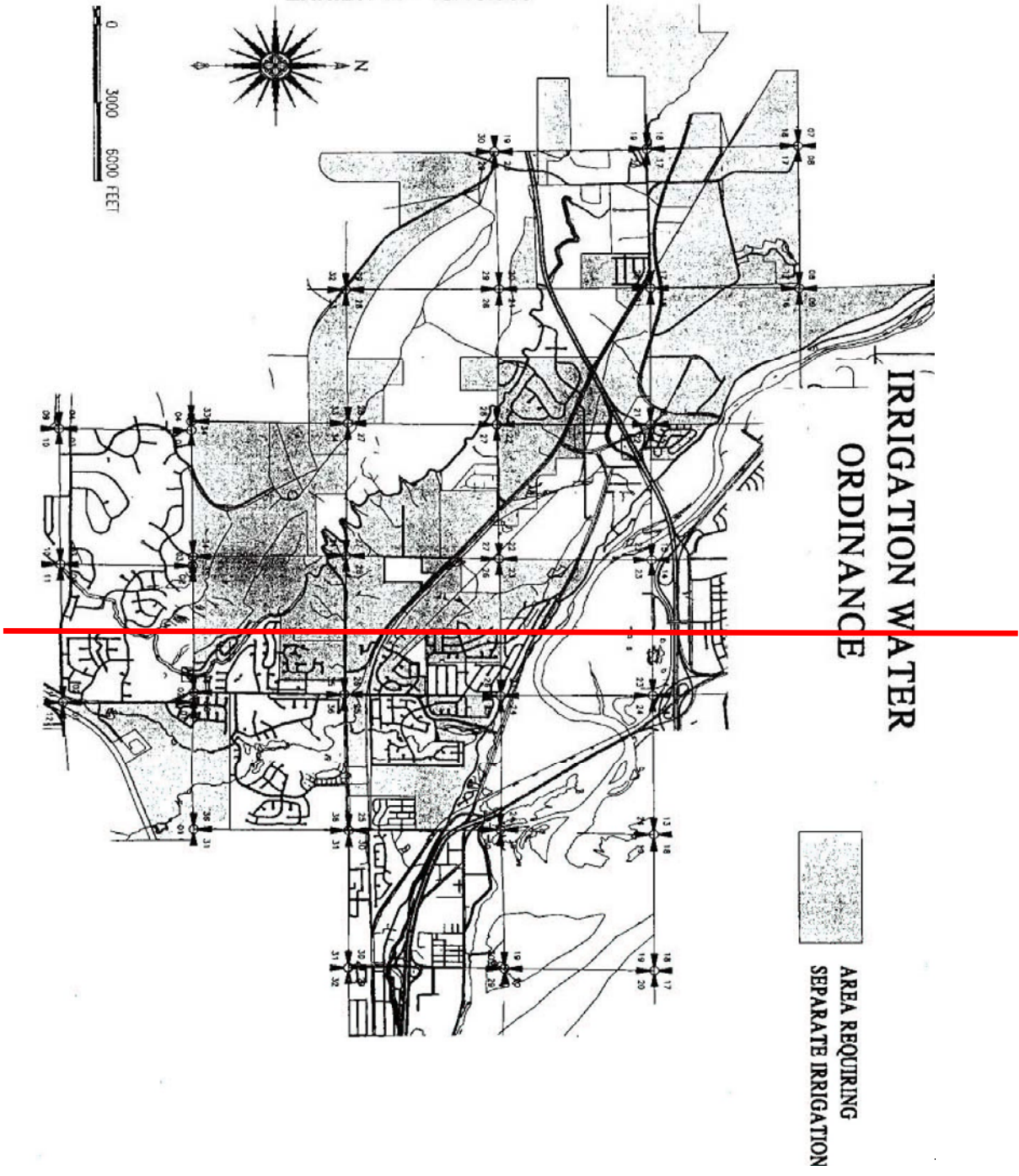
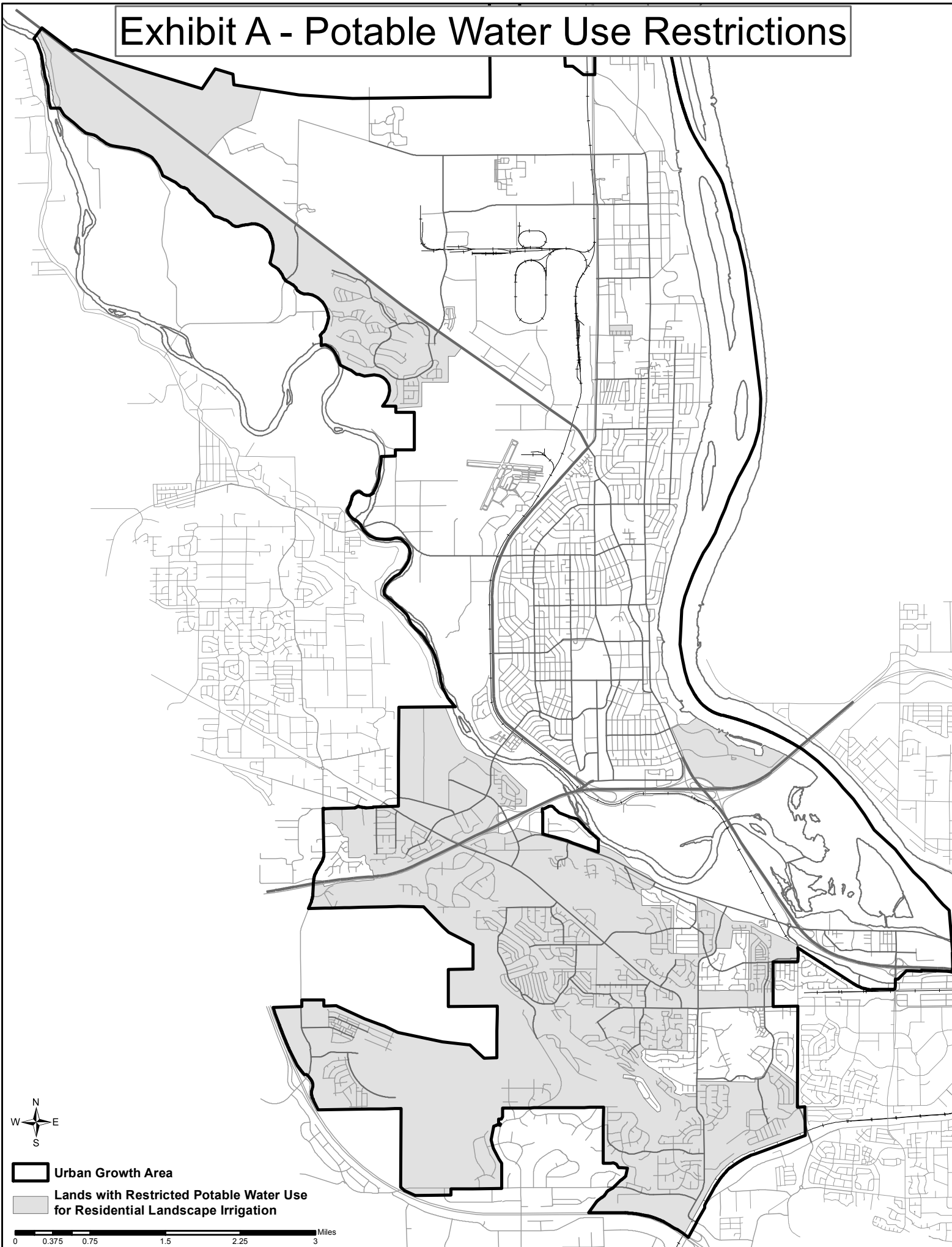




Exhibit A - Potable Water Use Restrictions



-  Urban Growth Area
-  Lands with Restricted Potable Water Use for Residential Landscape Irrigation

