



## **ORDINANCE NO. 2021-“B” Rev 0 CONNECTION**

### **AN ORDINANCE ESTABLISHING A RESIDENTIAL SYSTEM SITING PERMIT**

BE IT ORDAINED by the Board of Directors of the Bottle Bay Recreational Water and Sewer District, Bonner, County, Idaho as follows:

WHEREAS, the Bottle Bay Water and Sewer District (the “District”), is a recreational water and sewer district organized and existing under and pursuant to the laws of the State of Idaho; and,

WHEREAS, the Board has determined it is in the best interest of the District to enact this Ordinance establishing a Residential System Siting Permit (“Sewer Permit”);

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE DISTRICT AS FOLLOWS:**

**The previous Ordinance, 2010-2 Rev. 3 dated December 17, 2013, is rescinded and replaced by this ordinance.**

Short Title. This Ordinance shall be referred to as the “Connection Ordinance.”

Applicability of Ordinance. The provisions of this Ordinance shall apply to all Parcels within the District boundaries.

### **ARTICLE I – STATEMENT OF PURPOSE**

The purpose of the Connection Ordinance is:

- 1.1. To encourage Members to discuss any planning with the District early in any project.
- 1.2. To ensure that existing connections which are changing use or expanding, and new connections to the District’s Sewer System are properly permitted, properly located, and pay the correct Connection Fee.

### **ARTICLE II – FAILURE TO FOLLOW THE CONNECTION ORDINANCE**

Escalating fines shall be charged to the Member as determined by Resolution of the Board and included in the District Rules and Regulations.

### **ARTICLE III – RESIDENTIAL SYSTEM SITING PERMIT (Sewer Permit)**

- 3.1. **Timing.** A Sewer Permit shall be obtained from the District prior to commencing any remodeling work or new construction on a Parcel even though Bonner County may have issued a Building Location Permit. Failure to do so shall result in fines, escalating each calendar week thereafter, as established by Resolution of the Board of Directors. **These fines shall be paid prior to District approval of the Sewer Permit.**
- 3.2. **Changes to Site Plan or Building Plans.** The Sewer Permit is issued based upon the site plan and the building plans. If either of these plans are amended or revised, the Sewer Permit is no longer valid. The applicant must immediately notify the District and provide it with the changes. After

receipt of the amended or revise site plan and/or building plans, the District may change the terms and conditions of the Sewer Permit.

- 3.3. **Project Commencement Without a Sewer Permit.** If a Member fails to obtain a Sewer Permit prior to commencing a remodel project or start of new construction of a dwelling (e.g. foundation excavation or any excavation associated with installing a Residential System as described in the District's Residential System Requirements) a **Stop Work Order** shall be posted at the property and a written notice sent to the Member. The **Stop Work Order** shall apply to any installation work described in the District's Residential System Requirements and state the reason for the order. If the work continues without written authorization of the District, the Member shall be subject to fines, escalating each day thereafter, as established by resolution of the Board of Directors and shall be paid prior to District removal of the **Stop Work Order**. No connection of the Residential System is allowed if there is a **Stop Work Order** in effect.

## **ARTICLE IV – SEWER PERMIT APPLICATION REQUIREMENTS**

The Member shall provide the District with the following items and documentation when requesting a Sewer Permit:

- 4.1. **An Inspection Deposit** in the amount established by Resolution of the Board of Directors.
- 4.2. **A notarized sewer easement** if one is not already recorded for the Parcel.
- 4.3. **For new construction:** (a) a site plan showing the proposed location of the following Residential System components: (i) septic tank/pump basin, type and size thereof; (ii) lateral line; (iii) house Line; (iv) pump control box location; (v) District Force Main connection; (b) well (existing or proposed); (c) decks and landscaping such as retaining walls, hard surface patios or anything affecting future access to the Residential System; (d) setbacks required by DEQ and the District; and (e) all easements located upon the Parcel.
- 4.4. **For a remodel**, any changes that affect any of the foregoing items (Article 4.3).
- 4.5. **A floor plan** showing all the bedrooms and sleeping spaces.
- 4.6. **Dwelling Elevations** including any decks and landscaping described on the Site Plan.
- 4.7. **Any other information** that may be added from time to time by Resolution of the Board of Directors consistent with meeting the Statement of Purpose of this ordinance.

## **ARTICLE V – INHABITED DWELLING NOT CONNECTED**

If the Residential System, including the connection to the District's Force Main is not completed by the date the building is occupied then the District may complete the system improvements and bill the Member's account.

## **ARTICLE VI – TERM OF PERMIT**

A Sewer Permit issued to a Member expires one year after its issuance. A Member may apply for an extension, which the Board may grant or deny in its discretion.

## **ARTICLE VII – REPEALER CLAUSE**

All other ordinances or resolution of this District, or parts thereof, in so far as they are in conflict with this Ordinance, are repealed and rescinded.

## **ARTICLE VIII - SEVERABILITY**

The sections of this Ordinance are severable. The invalidity of a section shall not affect the validity of the remaining sections.

**ARTICLE IX – EFFECTIVE DATE**

This Ordinance shall take effect after a summary notice is published in one (1) issue of the Bonner County Daily Bee, which is hereby declared to be the official newspaper of the District for the publication of this Ordinance.

APPROVED AND ADOPTED this **19th** day of **October, 2021**, by the Board of Directors.

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*/s/ William M. Berg*

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William M. Berg, Chairman

ATTEST: */s/ Jon M. Davis*

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Jon M. Davis, Secretary