

Sewer Code Frequently Asked Questions (FAQ)

Prepared by Public Works in 4/2014, this document includes common questions relating to the municipal code. The document first lists the question in **bold**, followed by the response and the relevant code section in *italics*. This will be published to the city's website in a more typical FAQ format, with links to code references.

Is it legal to have a private septic system within the city limits of Blaine?

Yes it is. If you reside in Blaine where city sewer is currently unavailable. The code defines this as property that is more than 200 feet from an existing sewer main.

13.08.390 Permitted use of on-site septic systems.

A. Legal lots of record as of the effective date of annexation into the city and individual lots developed through subdivision consistent with BMC Title 17 may utilize septic systems only when the lot is located over 200 feet from the city sewer main as provided herein. All other development shall be required to connect to the public sewer system, except as provided in BMC 13.08.392.

13.08.260 Toilet facilities and connection to available sewer.

The owner of all houses, buildings or properties for human occupancy, employment, recreation or other purposes, situated within the city or within the Blaine Urban Growth Area and abutting on any street, alley or right-of-way in which there is now located, or in the future may be located, a public sanitary sewer of the city, is required, at his expense, to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter.

How does this requirement to connect change if the septic system is for public use?

Any building for public use are required to connect if the property (not the building) is within 500 feet of the nearest public sewer.

13.08.270 Proximity of areas of public use to sewer.

It is further provided, in addition to the provisions of BMC 13.08.260, that any building or areas for public use, including but not being limited to schools, hospitals, apartments, hotels, cabin or auto courts, motels and trailer courts, shall be deemed to be within the area served by the public sewer system if such building or buildings, or any of them, are within 500 feet of a sewer line or lateral as now or hereafter constructed.

I have an existing and functional septic system. Sewer service has just been extended into my neighborhood. Do I have to abandon my working septic system and connect to sewer immediately?

No. There is a provision in the code that allows owners with existing septic systems to request a deferral from the requirement to connect if there is a properly functioning septic system until one of three conditions triggers the requirement to switch; failure of the system, sale of the property, or building improvements/repairs which exceed 50% of the buildings value.

13.08.392 Deferral of connection to city sewer.

A. When city sewer service is extended to within 200 feet of a developed property with an on-site septic system, that property owner will be required to construct a connection to the city sanitary sewer system within 60 days. Owners of properties within 200 feet of the public sewer main will be notified by the city of the requirement to connect following extension of sewer service. A deferral may be granted with the approval of the city manager if:

1. The property has only residential use; and
2. The existing on-site septic system is working properly and has a current Whatcom County health department approval and all other permits required by law; and
3. The owner(s) sign a connection deferral agreement on a form provided by the city. This agreement provides certification by the property owner of the above conditions. No modifications or expansions of on-site septic systems will be allowed under a deferral agreement. This agreement requires the property owner(s) to connect to the public sanitary sewer system within 60 days of any of the following conditions occurring:
 - a. Failure of the on-site septic system (no repairs are permitted);
 - b. Sale of the property; or
 - c. Repairs, reconstruction or improvements are made to the occupied building structure which exceed 50 percent of the assessed value of the structure prior to such repairs, reconstruction or improvements.

I am within 200 feet and want to connect. Can I just hire a contractor and get started?

Yes, but there is a process involved. Connection to the City sewer requires a permit and public works approval before work begins. The City typically requires a licensed and bonded contractor to perform the work. Once a Utility Request form is submitted, applicable fees and requirements will be determined.

13.08.400 Permit – Required.

No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the city subject to the approval of the director of public works.

I hired a plumber regarding a problem with my sewer and he indicated the service line extending into the roadway needs to be replaced. The city will take care of that, right?

No. Property owners are responsible for the maintenance and operation of the sewer lateral from the building to the sewer main (mains are typically under the street). The City may assist in trouble shooting the and will verify whether or not a contributing factor may exist in the sewer main itself; but repairs involving the service laterals, including street and side walk restoration when required, are the responsibility of the property owner.

13.08.420 Cost and expense – Indemnification of city.

All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. (Ord. 1532, 1979; prior code § 8-405(C))

13.08.515 Maintenance, repair and replacement:

A. It shall be the responsibility of the building owner to maintain or to reimburse the city for its actual cost plus 10 percent for maintenance, repair or replacement of the building sewer from the building drain to and including the connection with the public sewer main.

B. All work in the public right-of-way shall be done by the city or its agents, or by licensed and bonded contractors on approval of the director of public works.

The storm run-off from my house is clean, can that be drained into the sanitary sewer system?

No. Storm run-off and roof drains are prohibited from connecting to the sewer system. Water from these sources is too oxygen rich and has a negative impact on the biological treatment process in the treatment of the sewage.

13.08.470 Drainage connections.

No person shall make connection of roof downspouts, exterior foundation drains, areaway drains or other sources of surface runoff or groundwater to a building sewer or building drain which, in turn, is connected directly or indirectly to a public sanitary sewer. (Ord. 1532, 1979; prior code § 8-405(H))

13.08.310 Unpolluted waters – Proper discharge.

Storm water and all other non-sanitary drainage shall be discharged to such sewers as are specifically designed as storm sewers, or to a natural outlet approved by the director of public works. Industrial cooling water or unpolluted process waters may be discharged, on approval of the director of public works, to a storm sewer or natural outlet.

I live in a development with no sewer, but have a petition from all affected property owners asking for a main extension. Is there a process for this?

Yes. BMC 13.08.511 includes a step by step process for extending sewer mains. These improvements can also be funded by forming a Local Improvement District per BMC 13.08.512.

13.08.512 Public sewer extensions by local improvement districts.

Persons requesting installation or extension of a public sewer may do so by the method described in BMC 13.08.511, or by formation of a local improvement district per criteria given in a duly adopted local improvement district ordinance of the city.

Someone from Public Works asked to walk across my property and looked into a capped pipe next to my house. Do I have to allow this?

Yes. City employees in the normal course of their duties have the right to inspect, test/sample, and make observations regarding the operation of any city utility. The employee must attempt to notify the occupant of the property if possible.

13.08.580 Right of entry – Inquiries limited.

The director of public works and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all properties subject to the conditions of this chapter for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this chapter. The authorized person shall enter the premises only at reasonable times after first notifying the occupant, if any.

If I am not sure about what else can be discharged into the sewer, what should I do?

Contact Public Works at 360-332-8820 for more specific information. BMC 13.08.320 through 13.08.380 describes prohibited and restricted discharges to the sewer system.

What recourse does the city have if a party with a private septic system does not connect after being provided the required notice by the City?

The City may enforce the connection in one of two ways. The City can begin assessing the regular sewer rate as if they were connected. Code also allows for the city to file a statement of costs with fees and interest, and apply a lien on the property for this amount. Of course, our preference is to work with the property owner to resolve the situation as amicably as possible.

13.08.280 Failure to make required connection.

If any such connection as required by BMC 13.08.260 and 13.08.270 is not made within 30 days after the time required in this chapter, the director of public works, or such other employees of the city as the city council may hereafter designate, is authorized to do one of the following:

A. Determine such connection to be made and to file a statement of the costs thereof with the finance director, and warrant shall be issued under the direction of the city council by the finance director and drawn on the sewer revenue fund for the payment of such costs. Such amount, together with a penalty of 10 percent thereof, plus interest; at the rate of eight percent per year upon the total amount of such costs and penalty, shall be assessed against the property upon which the building or structure is located, and shall be a lien thereon superior to all liens except general taxes and special assessments. All sums paid thereon shall be placed in the sewer revenue fund of the city; or

B. Cause the city finance department to issue notice to the party who has failed to connect that if they do not connect within 30 days of the date they receive the notice that they shall be subject to a monthly monetary charge in an amount equal to the base monthly sewer rate that would be charged against the property if it were connected to the city sewer system.

13.08.290 Assessment of sewer charges.

After proper notice has been given as prescribed in BMC 13.08.230 through 13.08.270, and the time provided for therein has expired, the director of public works, or such other employee of the city as the city council may direct, is empowered to assess the rates for sanitary sewer service as prescribed in the Unified Fee Schedule.

NOTE: BMC 13.08.392 includes allowances for these fees to be deferred if specific requirements are met.