

**ORDINANCE** 20-98

**NORTH BAY/CASE INLET TAP-IN RESTRICTIONS FOR WETLAND PROPERTIES**

WHEREAS, the Mason County North Bay/Case Inlet Wastewater Treatment Facility project has a service area which includes land parcels that are within designated wetland areas, as identified in the Mason County Critical Areas Ordinance and associated maps, as of the RD (Rural Development) funding obligation date, May 7, 1996; and

WHEREAS, RD financing has been arranged to construct improvements within the County of Mason North Bay/Case Inlet service area; and

WHEREAS, RD has established policies to restrict utility service where proposed improvements would be placed in designated wetland areas; and

WHEREAS, this ordinance is applicable to only those properties located within the service area of the North Bay/Case Inlet Wastewater Treatment Facility and only applies when one wants to connect to said Facility when it becomes available,

**NOW THEREFORE BE IT RESOLVED BY MASON COUNTY**

1. That Tap-in Restrictions will be enforced to deny future sewer connections to the system when verification is not made by applicants, that planned improvements to properties requesting connection to the sewer system, will be constructed outside the designated wetland areas; provided, however,
  - a. That an exclusion to these Tap-In Restrictions will be granted for (1) all road and utility crossings consistent with (a) Mason County Comprehensive Transportation Plan, (b) Mason County Comprehensive Sewer and Water System Plans, (2) any recreational, educational, or research facilities consistent with state and federal wetland guidelines, (3) any residential development of plats submitted or individual parcels created prior to the RD funding obligation date of May 7, 1996.
  - b. An exclusion from Tap-In Restrictions is also granted for a project with USCOE Section 404 approval; and
  - c. That administration of this policy shall provide for an application waiver to the Tap-In Restriction, which will be reviewed by Mason County on a case-by-case

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basis. If the County recommends a waiver, such recommendation shall be submitted to RD or its successors for final approval.

2. This restriction is effective for the life of the Rural Development Loan and shall expire with no further action of the County Commissioners on the date that said loan is fully paid off.

PASSED and ADOPTED by the Mason County Board of Commissions this 3<sup>rd</sup> day of March, 1998.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
MASON COUNTY, WASHINGTON

Rebecca S Rogers  
CLERK OF THE BOARD

Mr Boland  
CHAIRPERSON

APPROVED AS TO FORM

Mark Pitt  
CHIEF DPA  
DEPUTY PROS. ATTORNEY

Mary Jo Cady  
COMMISSIONER

Cynthia Olsen  
COMMISSIONER