

ORDINANCE 21-98

NORTH BAY/CASE INLET TAP-IN RESTRICTIONS FOR FLOODPLAIN PROPERTIES

WHEREAS, the Mason County North Bay/Case Inlet Wastewater Treatment Facility project has a service area which includes land parcels that are within the 100-year floodplain as determined by FEMA (Federal Emergency Management Agency), 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 floodplains; 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. For the purpose of complying with RD requirements, FEMA's 100-year floodplain maps, in effect on the RD funding obligation date of May 7, 1996, will be used.
2. 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 100-year floodplain (as described in Paragraph 1 above); 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 floodplain guidelines, (3) any parcel with development presently served by septic service which needs to convert to sewer for reasons of public health, (4) any residential development of plats submitted or individual parcels created prior to the RD funding obligation date of May 7, 1996, (5) any Port parcel, provided the

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structures are intended for public or private purposes and are constructed above the 100-year floodplain elevation.

- b. 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 basis. If the County recommends a waiver, such recommendation shall be submitted to RD or its successors for final approval.
- 3. 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 3rd day of March, 1998.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Rebecca S Rogers
CLERK OF THE BOARD

John Boland
CHAIRPERSON

APPROVED AS TO FORM

Mark Whit, CHIEF DPA
DEPUTY PROS. ATTORNEY

May Jo Cady
COMMISSIONER

Cynthia Olsen
COMMISSIONER