

**CITY OF WEST RICHLAND
ORDINANCE NO. 20-19**

**AN ORDINANCE OF THE CITY OF WEST RICHLAND, WASHINGTON,
AMENDING WEST RICHLAND MUNICIPAL CODE SECTION 13.80.030(A)
DEFINITIONS AND AMENDING SECTION 13.86.030 APPLICABILITY**

THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON, do ordain as follows:

Section 1. Section 13.80.030(A), "Definitions" and "A' Definitions", are hereby amended to read as follows:

13.80.030 Definitions. The purpose of this section is to provide a primary source for the definitions of terms used in the Stormwater Utility Section, Chapters 13.80, 13.82 and 13.86 of the West Richland Municipal Code. The definitions provided in the Stormwater Management Manual for Eastern Washington published by the Washington State Department of Ecology dated September 2004 and the Eastern Washington Phase II Municipal Stormwater Permit issued August 1, 2012. The definitions herein are applicable to those chapters within the context of their use. These definitions do not supersede or replace the definitions of other terms found in Title 13. In addition, the following shall mean:

A. "A" Definitions

1. "AKART" means All Known, Available, and Reasonable methods of prevention, control, and Treatment. The most current methodology that can be reasonably required for preventing, controlling, or abating the pollutants associated with a discharge. The concept of AKART applies to both point and nonpoint sources of pollution. Best Management Practices (BMPs) typically applied to nonpoint source pollution controls are considered a subset of the AKART requirement. The Stormwater Management Manual for Eastern Washington published by the Washington State Department of Ecology and dated September 2004 including amendments by the City may be used as a guideline, to the extent appropriate, for developing best management practices to apply AKART for stormwater discharges.
2. "Apartments" means any parcel containing six or more residential units and is used primarily for residential purposes.

Section 2. Section 13.86.030, "Applicability", is hereby amended to read as follows:

13.86.030 Applicability.

This chapter shall be applicable to all land-disturbing activities, new subdivisions, and redevelopment projects disturbing greater than or equal to one acre and to projects of less than one acre that are part of a common plan of development or sale where the disturbed area of the entire plan is greater than or equal to one acre that drain to the city of West Richland's municipal separate storm sewer system (MS4) as determined by the city engineer.

Partial exemptions or exceptions may be granted in accordance with the Stormwater Management Manual for Eastern Washington (SWMMEW) published by the Washington State Department of Ecology dated September 2004. Jurisdiction-wide exceptions to the requirements in the SWMMEW shall be approved by the Washington State Department of Ecology.

The following practices shall be exempted from the requirements of this chapter:

- A. Forest practices regulated under WAC Title 222.
- B. Commercial agriculture practices involving working the land for production.
- C. Oil and gas field activities including construction of drilling sites, waste management pits, access roads, transportation and treatment infrastructure.
- D. Road and parking area preservation and maintenance including:
 - 1. Pothole and square cut patching;
 - 2. Crack sealing;
 - 3. Resurfacing with in-kind material without expanding the road prism;
 - 4. Overlaying existing asphalt or concrete pavement with bituminous surface treatment (BST or "chip seal"), asphalt or concrete without expanding the area of coverage;
 - 5. Shoulder grading;
 - 6. Reshaping or regrading drainage systems;
 - 7. Vegetation maintenance.


Section 3. This ordinance shall become effective five (5) days after its passage and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON, this 20th day of August, 2019.



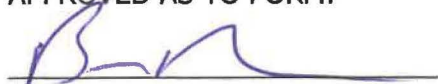
Brent Gerry, Mayor

ATTEST:



Julie Richardson, City Clerk

APPROVED AS TO FORM:



Bronson Brown, City Attorney