

Ordinance No. 3117

(Amending or Repealing Ordinances)

CFN=140 – Construction Standards

Passed 5/18/1993

Repealing Ord. 1142, Amending Sec. 14.02030 (Ord. 3052) and Enacting New Construction Standards for Public Works Related Improvements in the City of Kent

Sec. 3 Repealed by Ord. 3415

Repealed by Ord. 3927

ORDINANCE NO. 3117

AN ORDINANCE of the City of Kent, Washington, repealing Ordinance No. 1142, amending KCC § 14.02.030 (Ordinance No. 3052), and enacting new construction standards for public works related improvements in the City of Kent.

WHEREAS, the City last developed and enacted construction standards for public works related improvements on August 8, 1962; and

WHEREAS, since 1962, construction techniques have changed dramatically, necessitating revision of the City's construction standards; and

WHEREAS, City Public Works Department staff has undertaken extensive review and analysis to develop revised construction standards that more properly conform with the needs and demands of current public works related improvements; and

WHEREAS, because the City's Public Works Department in large part directs the issuance of Excavation and Grading permits, it has also been determined that the Director of Public Works should administer and enforce issuance of Excavation and Grading Permits under the authority of the Uniform Building Code and the newly revised construction standards; and

WHEREAS, continuing changes in construction techniques in the future may require occasional adjustment to the revised construction standards' appendices or may require interpretation of the construction standards' applications; and

*Repeals Ord. 1142
Amends Ord. 3052
Amended by
Ord. 3234*

WHEREAS, the City has published its proposed revised construction standards for public comment and review; and

WHEREAS, a public hearing was held on May 4, 1993, after giving proper notice, at a regularly scheduled meeting of the Kent City Council, wherein public comment was invited regarding the proposed revised construction standards; and

WHEREAS, at the close of the public hearing, the Kent City Council approved, by majority vote, adoption of the revised construction standards; and

WHEREAS, upon the advice of the City's legal counsel, certain amendments to these standards have been added to invest additional discretionary authority in the Director of Public Works for the ongoing administration of these construction standards; NOW, THEREFORE

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Repealer. Ordinance 1142 of the City of Kent, creating and providing construction standards and instructions to developers, adopted on August 6, 1962, is hereby repealed.

Section 2. Construction Standards Adopted. The City's newly revised construction standards for public works related improvements, attached hereto as Exhibit A and incorporated herein by this reference, are hereby adopted.

Section 3. Ordinance 3052 Amended. Section 14.02.030 of the Kent City Code (section 5 of Ordinance No. 3052) is hereby amended as follows:

Sec. 14.02.030. Building code appendices adopted.

~~((Chapters))~~ Chapter 10, ~~((and))~~ chapter 11, ~~((and))~~ division II of chapter ~~((32))~~ 12, ~~((and))~~ chapter 32, and chapter 70 of the Appendix of the Uniform Building Code, 1991 Edition (as adopted in section 14.02.010), are adopted, except that the Director of Public Works shall have the authority to enforce and interpret chapter 70 of the Appendix of the Uniform Building Code, 1991 Edition, and, accordingly, all references to the "building official" in chapter 70 of the Appendix shall be substituted with the words, "Director of Public Works."

Section 4. Enforcement/Interpretation. The City's director of Public Works is authorized and directed to enforce all the provisions of these construction standards. The Director of Public Works shall also have the power to render interpretations and to adopt rules and regulations of these standards in order to clarify the application of their provisions. The Director of Public Works interpretations, rules and regulations, however, shall be in conformance with the intent and purpose of these construction standards.

Section 5. Amendment of Appendices. The City's Director of Public Works is authorized to amend the appendices to the construction standards from time to time as he or she may deem necessary. However, any amendments to the appendices shall conform with the intent and purpose of these construction standards.

Section 6. Purpose/Effect. The following statement of purpose and effect regarding these construction standards shall be added which shall appear before Section One, "Permits and Approvals":

This document sets forth the requirements and conditions that apply to all improvements or extensions of the City of Kent street, storm drainage and utility systems. Also

included are design requirements for private developments and their interface with the City of Kent utility, street, and drainage systems. It is the responsibility of the developer, developer's engineer and contractor to follow these standards. For definition of terms, abbreviations, records or pronouns, refer to Section 2.1 herein.

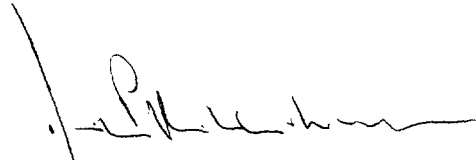
The City recognizes that Engineers must use their best judgement in design and construction decisions and must consider many factors including but not limited to external environmental constraints, existing geometry, sub-surface conditions, and others. As regards the City's projects, the City faces the additional factor of limited economic resources which are constrained by the City's taxing authority. This document should not be used to create legal liability for the City or its employees, but should provide for various engineering treatments depending on individual circumstances.

This document sets forth the requirements and conditions of new construction only, within the scope of the designated project. This document does not require that existing facilities which adjoin a new project be rebuilt to comply with these standards, but the Director of Public Works reserves the right to require upgrades in any particular circumstances.

Section 7. Savings. Ordinance No. 1142, which is repealed by this ordinance, and Kent City Code section 14.02.030 (section 5 of Ordinance No. 3052), which is amended by this ordinance, shall remain in full force and effect until the effective date of this ordinance.

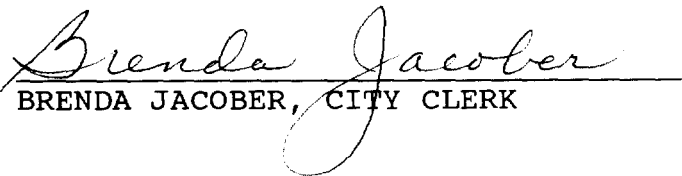
Section 8. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstances shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 9. Effective Date. This ordinance shall take effect and be in force thirty (30) days from the time of its final approval and passage as provided by law.



DAN KELLEHER, MAYOR

ATTEST:



BRENDA JACOB, CITY CLERK

APPROVED AS TO FORM:



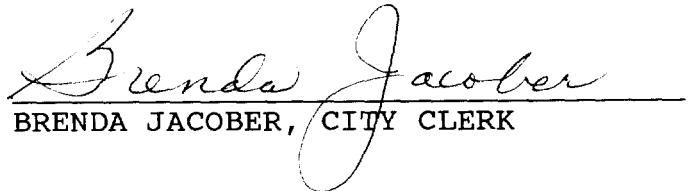
ROGER A. LUBOVICH, CITY ATTORNEY

PASSED the 18 day of May, 1993.

APPROVED the 19 day of May, 1993.

PUBLISHED the 21 day of May, 1993.

I hereby certify that this is a true and correct copy of Ordinance No. 3117, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent hereon indicated.



BRENDA JACOB, CITY CLERK