

RESOLUTION NO. 475

A RESOLUTION OF BIRCH BAY WATER AND SEWER DISTRICT  
REGARDING SEWER AND WATER SERVICE AND POTENTIAL  
SEWER SERVICE

WHEREAS, development should not occur without provision for both water and sewer service to an area; and

WHEREAS, the District is often asked to provide water service to areas which have no sewers available; and

WHEREAS, the District desires to guarantee that property developed without a sewer system will one day have sewer service even though property owners who have been using septic tanks object to paying for sewers;

NOW, THEREFORE, it is hereby resolved by the Commissioners of Birch Bay Water and Sewer District as follows:

Section 1. The District will not issue any letter of water availability, nor will it allow a property to receive water service, for property located inside the District Boundaries unless one of the following circumstances apply:

1. Sewer service is available to the property and the property will be connected to the sewer system; or
2. A no protest agreement to any future Utility Local Improvement District for sewer service in substantially the form attached hereto as Exhibit A is submitted to the District, along with the necessary fee to record same with the Whatcom County Auditor.

Section 2: If any section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution. The Council hereby declares that it would have passed this code and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases has been declared invalid or unconstitutional, and if, for any reason, this Resolution should be declared invalid or unconstitutional, then the original Resolution or Resolutions shall be in full force and effect.

Section 3: This Resolution shall be in full force and effect on October 20, 1989.

PASSED by the Board of Commissioners of Birch Bay Water and Sewer District, Whatcom County, Washington, at a regular meeting held the 20 day of October, 1989.

Francis H. Suscher  
COMMISSIONER

Carl Reichhardt  
COMMISSIONER

Peter Lewis  
COMMISSIONER

Dominic Kuest  
COMMISSIONER

THIS IS TO CERTIFY that the above is a true and correct copy of Resolution No. 475 of Birch Bay Water and Sewer District, Whatcom County, Washington, adopted at the regular meeting of the Board of Commissioners on October 20, 1989.

Dominic Kuest  
SECRETARY