

RESOLUTION NO. 782

A RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF BIRCH BAY WATER & SEWER DISTRICT, WHATCOM COUNTY,  
WASHINGTON, AMENDING DISTRICT CODE SECTIONS 7.04.083 AND 8.08.065 AND  
RESOLUTION NO. 516, 616, 617, 634 AND 645 ON EQUIVALENT LIVING UNITS AND  
AMENDING DISTRICT CODE SECTION 7.04.010 AND 8.04.010 AND RESOLUTION NO.  
149, 616, 617, 691 AND 756 ON WATER USE AND SEWAGE COLLECTION  
DEFINITIONS

WHEREAS, the purpose of this Resolution is to amend District Code Sections 7.04.083 and 8.08.065 and Resolution No. 516, 616, 617, 634 and 645, to revise the number of Equivalent Living Units ("ELUs") (water and sewer) applicable for services or projects; and

WHEREAS, the purpose of this Resolution is to update how water and sewer services and projects are categorized for purposes of ELU allocation; and

WHEREAS, the purpose of this Resolution is also to amend District Code Sections 7.04.010 and 8.04.010 and Resolution No. 149, 616, 617, 691 and 645, to add category of use definitions corresponding to the categories of use identified in District Code Sections 7.04.083 and 8.08.065; and

WHEREAS, this Resolution also amends Sections 7.04.083 and 8.08.065 to update ELU's applicable to various types of use; and

WHEREAS, the foregoing recitals and findings are a material part of this Resolution;

NOW, THEREFORE, be it resolved by the Board of Commissioners of Birch Bay Water & Sewer District, Whatcom County, Washington, as follows:

Section 1: Section C, of Resolution No. 516, Section 5, of Resolution No. 616, Sections 1 and 3, of Resolution No. 634, and Section 1, of Resolution No. 645, and District Code Section 7.04.083 are hereby amended to now read as follows:

7.04.083 Equivalent living unit calculations.

A. The number of equivalent living units ("ELUs") for water per service or project, as applicable, shall be as follows:

1. Single-Family Residence. For each single-family residence, one ELU; except that, single-family residence served by a meter greater than 5/8 inch in size shall be the greater of one ELU, or the number of ELUs established pursuant to the calculation method for commercial uses;
2. Multiple Family Residence, Mobile Home Park, or Condominium. For each residential unit, one ELU;
3. Accessory Dwelling Unit (ADU) or Detached Accessory Dwelling Unit (DADU), 3/4 ELU. There shall be no more than one ADU or DADU per Premises;

4. Park Model Trailer Court. For each site in a park model trailer court  $\frac{3}{4}$  ELU;
5. Camping RV Park or Camping Trailer Park. For each RV or Camping Trailer site in a RV park or trailer court,  $\frac{1}{2}$  ELU;
6. Combined Park Model, RV and/or Camping Trailer Park: each site will be counted as per above;
7. Campgrounds (With Water Service Only to Individual Sites). For each site in a campground used for camping on a full- or part-time basis,  $\frac{1}{3}$  ELU;
8. Campgrounds (Without Sewer or Water Service to Individual Sites). For each site in a campground used for camping on a full- or part-time basis,  $\frac{1}{4}$  ELU;
9. Motel or Hotel. For each room or unit,  $\frac{1}{2}$  ELU;
10. Commercial Uses. For each commercial use and/or extended service unit, the number of ELUs shall be the greater of one, or the number established based on the number of fixture units serving the commercial use and/or extended service unit. The number of fixture units shall be determined in accordance with this code and other applicable policies and procedures approved by the board of commissioners. The number of ELUs for a commercial use and/or extended service unit shall be determined by dividing the number of fixture units for "public-general use" serving the commercial use and/or extended service unit by twenty-five; provided that in no event shall the number of ELUs for any commercial use or extended service unit be less than one. Partial ELUs resulting from the division of fixture units by twenty-five shall be rounded to the nearest  $\frac{1}{2}$  ELU, except for campgrounds described in subsections (A)(7) and (8) of this section;
11. Churches. For each church, one ELU; except that, churches served by a meter greater than  $\frac{5}{8}$  inch in size shall be the greater of one ELU, or the number of ELUs established pursuant to the calculation method for commercial uses;
12. Combined Facilities. For each property which has more than one business or function on one water connection, the number of ELUs will be based on the combined sum of the individual units which are applicable to each business or function involved;
13. When a customer is not specifically listed in this section, the general manager or his/her designee may determine which category the customer most closely resembles in quantity of water used and classify each customer accordingly; provided that, any residential unit added to a commercial use shall be charged for a minimum of  $\frac{1}{2}$  ELU, and the total number of additional ELUs for such residential unit shall be determined in accordance with subsection (A)(1) of this section;
14. The minimum number of ELUs for any premises shall be  $\frac{1}{2}$  ELU.

Section 2: Section 5, of Resolution No. 616, Sections 2, 5, and 6, of Resolution No. 634, and Section 2, of Resolution No. 645, and District Code Section 8.08.065 are hereby amended to now read as follows:

#### 8.08.065 Equivalent living unit calculations.

The number of equivalent living units ("ELUs") for sewer per service or project, as applicable, shall be as follows:

- A. Single-Family Residence. For each single-family residence, one ELU; except that single-family residences served by a meter greater than  $\frac{5}{8}$  inch in size shall be the greater of one



- ELU, or the number of ELUs established pursuant to the calculation method for commercial uses;
- B. Multiple Family Residence, Mobile Home Park, or Condominium. For each residential unit, one ELU;
  - C. Accessory Dwelling Unit (ADU) or Detached Accessory Dwelling Unit (DADU), 3/4 ELU. There shall be no more than one ADU or DADU per Premises;
  - D. Park Model Trailer Court. For each site in a park model trailer court, 3/4 ELU;
  - E. Camping RV Park or Camping Trailer Park. For each RV or Camping Trailer site in a RV park or trailer court, 1/2 ELU;
  - F. Combined Park Model, RV and/or Camping Trailer Park: each site will be counted as per above;
  - G. Campgrounds (With Water Service Only to Individual Sites). For each site in a campground used for camping on a full- or part-time basis, 1/3 ELU;
  - H. Campgrounds (Without Sewer or Water Service to Individual Sites). For each site in a campground used for camping on a full- or part-time basis, 1/4 ELU;
  - I. Motel or Hotel. For each room or unit, 1/2 ELU;
  - J. Commercial Uses. For each commercial use, the number of ELUs shall be the greater of one, or the number established based on the number of fixture units serving the commercial use. The number of fixture units shall be determined in accordance with the district code and other applicable policies and procedures approved by the board of commissioners. The number of ELUs for a commercial use shall be determined by dividing the number of fixture units for "public-general use" serving the commercial use by twenty-one; provided that in no event shall the number of ELUs for any commercial use be less than one. Partial ELUs resulting from the division of fixture units by twenty-one shall be rounded to the nearest 1/2 ELU, except for campgrounds described in subsections G and H of this section;
  - K. Churches. For each church, one ELU; except that, churches served by a meter greater than 5/8 inch in size shall be the greater of one ELU, or the number of ELUs established pursuant to the calculation method for commercial uses;
  - L. Combined Facilities. For each property which has more than one business or function on one sewer connection, the number of ELUs will be based on the combined sum of the individual units which are applicable to each business or function involved;
  - M. When a customer is not specifically listed in this section, the general manager or his/her designee may determine which category the customer most closely resembles in quantity and quality of sewage output, and classify each customer accordingly; provided that any residential unit added to a commercial use shall be charged for a minimum of 1/2 additional ELU, and the total number of additional ELUs for such residential unit shall be determined in accordance with subsection A of this section;
  - N. The minimum number of ELUs for any premises shall be 1/2 ELU.

Section 3: Section 1, of Resolution No. 616, Section 6, of Resolution No. 756, and District Code Section 7.04.010 are hereby amended to now read as follows:

7.04.010 Definitions.

Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as set forth in this section. The terms below shall have the following meanings when used in Title 7.

“Accessory Dwelling Unit” (A.D.U.) means a separate complete residential unit designed for occupancy by a family. It is substantially contained within the contiguous structure or attached garage of a single-family residence and there is internal access between the units. In addition to an existing dwelling, there shall be no more than one Accessory Dwelling Unit per lot. Accessory Dwelling Units shall be clearly a subordinate part of an existing residence.

“Campground” means park facilities that provide camping opportunities in addition to other uses. Camping is the primary function for this type of park area.

“Church” means land and/or building(s) owned by a private nonprofit entity used for religious purposes and which serves mainly the community where located.

“Commission” means the board of commissioners of the district.

“Commercial customer” means a customer of the district utilizing the premises connected to the district system for commercial purposes, including without limitation, retail uses, grocery and/or convenience stores, restaurants or other eating establishments, bars or lounges, clubhouses, public or private community buildings, gas stations, auto repair or service stations, professional offices, banks or lending institutions, barber or beauty shops, warehouses, theaters or auditoriums, laundromats, schools, medical facilities, hospitals, rest homes, convalescent centers, or treatment facilities.

“Condominium” means real property, portions of which are designated for separate ownership for residential purposes and the remainder of which is designated for common ownership solely by the owners of those portions. Real property is not a condominium unless the undivided interests in the common elements are vested in the unit owners, and unless a declaration and a survey map and plans have been recorded pursuant to Chapter 64.34 RCW. The terms “common elements” and “unit owners” as used in this definition shall have the meanings set forth in RCW 64.34.020, as amended or recodified. A timeshare condominium is a type of Condominium which includes timeshare condominium units as defined in the definition of Condominium Unit herein.

“Condominium Unit” or “unit” in a Condominium means a physical portion of the Condominium designated for separate ownership, the boundaries of which are described pursuant to RCW 64.34.216(1)(d), as amended or recodified. “Separate ownership” includes leasing a unit in a leasehold condominium under a lease that expires contemporaneously with any lease, the expiration or termination of which will remove the unit from the condominium. A timeshare condominium unit is a Condominium Unit or unit in a Condominium where there is a right to occupy such Condominium Unit or any of several such units during three or more separate time periods over a period of at least three years, including renewal options, whether or not coupled with an estate in land.



“County” means Whatcom County, Washington.

“Customer” means a property owner that has a connection to the district's water system.

“Detached Accessory Dwelling Unit” means a separate and complete dwelling unit not attached in any way to the main or existing dwelling unit; designed for occupancy by a family. In addition to an existing or permitted dwelling, there shall be no more than one Detached Accessory Dwelling Unit per lot. Detached Accessory Dwelling Units shall be clearly a subordinate part of an existing residence.

“District” means the Birch Bay Water and Sewer District, a special purpose district and municipal corporation of Whatcom County, state of Washington.

“Engineer” means any consulting engineer or any district employee performing engineering work for the district.

“Equivalent living unit” (“ELU”) and “residential customer equivalent” (“RCE”) mean unit estimated to have approximately the same water use and/or to produce the same sewer waste as one single-family residence, to be determined in accordance with this chapter.

“Extended service unit” means a water outlet or standpipe installed for the use of persons other than the owner or occupant of the premises. Extended service units shall be separately metered, and shall include washrooms, laundry rooms, bathhouses, standpipes in picnic areas, and all other similar installations.

“Fixture units” as used in this title means that measure of the quantity of water a water plumbing fixture is capable of supplying as specified in the Uniform Plumbing Code, as adopted and amended in the most current Whatcom County ordinances. In situations where the plumbing fixtures for water supply are not listed in the Uniform Plumbing Code as specified above, fixture units shall be determined by the District Code and other applicable policies and procedures approved by the board of commissioners.

“General manager” means the general manager of the district or any authorized employee of the district performing work on behalf of the general manager.

“Hotel/Motel” means any building or group of attached buildings not designed for separate ownership, intended or designed with separate rooms or divided living spaces to be used, rented or hired out, or to be occupied for sleeping purposes only by transients for varying lengths of time, including less than one week.

“Mains” means water lines designed or used to serve more than one premises.

“Mobile Home” means a dwelling designed for long-term human habitation by one family and having complete living facilities; constructed and fabricated into a complete unit at a factory and capable of being transported to a location of use on its own chassis and wheels; identified by a model number and serial number by its manufacturer and designed primarily for placement on an

impermanent footing. A unit which was originally built as a mobile home but which has substantially lost its mobility through being placed on a permanent footing, and which wholly meets state standards for such units, shall not be considered to be a mobile home and shall be treated as a single-family dwelling for the purpose of this ordinance only when it is fixed to a permanent footing and tongue and axle have been removed and skirting installed.

“Mobile Home Park” means any parcel or adjacent parcels of land in the same ownership which is utilized for occupancy by more than two mobile homes. This term shall not be construed to mean campgrounds, recreational vehicle parks or tourist facilities for camping.

“Multiple Family Residence” means a single building, or portion thereof, designed for or occupied by two or more families living independently of each other in separate dwelling units on one lot of record and, for the purpose of this code, includes duplexes, triplexes, fourplexes, apartment buildings, and residential condominiums.

“Park Model Trailer” means a trailer designed to provide seasonal or temporary living quarters which may be used with temporary connections to utilities necessary for operation of installed fixtures and appliances. It has a gross trailer area not exceeding 400 square feet or is approved by the state as a park model trailer.

“Park Model Trailer Court” means any parcel or adjacent parcels of land in the same ownership which is utilized for occupancy by more than two park model trailers. This term shall not be construed to mean campgrounds, recreational vehicle parks or tourist facilities for camping.

“Premises” means a continuous tract of land, building or group of adjacent buildings under a single control with respect to the use of water and responsibility for payment therefor. Subdivisions of such use or responsibility shall constitute a division into separate premises as defined in this section.

“Residential customer” means a customer of the district utilizing the premises connected to the district system for residential purposes.

“RV” or “Recreational Vehicle” or “Camping Trailer” means a motor vehicle, or portable structure capable of being transported on the highways by a motor vehicle, that is designed and intended for casual or short-term human occupancy for travel, recreational and vacation uses without a permanent foundation; identified by a model number (RV), serial number and vehicle registration number; equipped with limited water storage and other self-contained living facilities. The term “recreational vehicle” shall include self-contained campers, motor homes and travel trailers and shall not include park model trailers, as they are not self-contained units.

“RV Park” or “Camping Trailer Park” means a parcel of private land in which three or more contiguous sites are primarily for occupancy by recreational vehicles for travel, recreation or vacation uses. For mobile home parks, only sites that are designated and/or are used for recreational vehicles shall constitute a recreational vehicle park. For the purposes of these regulations, the term “recreational vehicle park” shall include camping clubs.



“Service connection” means that portion of the district water supply system connecting the private service line on a premises to the district distribution main, including the tap into the water main, the water meter and appurtenances, the service line from the main to the meter and from the meter to the property line.

Shall–May. “Shall” is mandatory; “may” is permissive.

“Single-Family Residence” means a single residential structure providing complete independent living facilities and intended for long-term human habitation and occupancy by a single family.

“Standard mains” or “permanent mains” means mains conforming to the standard specifications or the district with respect to methods, materials and/or minimum diameter.

“Standard specifications” means those standard specifications, conditions, and requirements for waterworks construction which have been adopted by the board of commissioners of the District. This term includes standard specifications, conditions, and applicable requirements contained in the District's Developer Project Manual, latest edition.

“Substandard mains” means mains not conforming to the standard specifications of the District with respect to methods, materials and/or minimum diameter.

Section 4: Section 1, of Resolution No. 149, Section 1, of Resolution No. 617, Section 1, of Resolution No. 691, Section 7, of Resolution No. 756, and District Code Section 8.04.010 are hereby amended to now read as follows:

#### 8.04.010 Definitions.

Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as set forth in this section. The terms below shall have the following meanings when used in Title 8.

“Accessory Dwelling Unit” (A.D.U.) means a separate complete residential unit designed for occupancy by a family. It is substantially contained within the contiguous structure or attached garage of a single-family residence and there is internal access between the units. In addition to an existing dwelling, there shall be no more than one Accessory Dwelling Unit per lot. Accessory Dwelling Units shall be clearly a subordinate part of an existing residence.

“Agency” means any city, town, state, or department thereof.

“A.S.T.M.” means the American Society for Testing Materials.

“Board” means the board of commissioners, the governing body of Birch Bay Water and Sewer District, state of Washington.

“B.O.D.” (denoting “biochemical oxygen demand”) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days in twenty degree centigrade, expressed in milligrams per liter.

“Campground” means park facilities that provide camping opportunities in addition to other uses. Camping is the primary function for this type of park area.

“Capping permit” means a permit required for the disconnection of sewer service.

“Church” means land and/or building(s) owned by a private nonprofit entity used for religious purposes and which serves mainly the community where located.

“Cluster living units” means living units, such as trailers, cabins or houses which have utilities operated and maintained by an association or by a common owner.

“Commission” means the board of commissioners of the district.

“Commercial customer” means a customer of the district utilizing the premises connected to the district system for nonresidential or commercial purposes, including without limitation, retail uses, grocery and/or convenience stores, restaurants or other eating establishments, bars or lounges, clubhouses, public or private community buildings, gas stations, auto repair or service stations, professional offices, banks or lending institutions, barber or beauty shops, warehouses, theaters or auditoriums, laundromats, schools, medical facilities, hospitals, rest homes, convalescent centers, or treatment facilities.

“Condominium” means real property, portions of which are designated for separate ownership for residential purposes and the remainder of which is designated for common ownership solely by the owners of those portions. Real property is not a condominium unless the undivided interests in the common elements are vested in the unit owners, and unless a declaration and a survey map and plans have been recorded pursuant to Chapter 64.34 RCW. The terms “common elements” and “unit owners” as used in this definition shall have the meanings set forth in RCW 64.34.020, as amended or recodified. A timeshare condominium is a type of Condominium which includes timeshare condominium units as defined in the definition of Condominium Unit herein.

“Condominium Unit” or “unit” in a Condominium means a physical portion of the Condominium designated for separate ownership, the boundaries of which are described pursuant to RCW 64.34.216(1)(d), as amended or recodified. “Separate ownership” includes leasing a unit in a leasehold condominium under a lease that expires contemporaneously with any lease, the expiration or termination of which will remove the unit from the condominium. A timeshare condominium unit is a Condominium Unit or unit in a Condominium where there is a right to occupy such Condominium Unit or any of several such units during three or more separate time periods over a period of at least three years, including renewal options, whether or not coupled with an estate in land.

“County” means Whatcom County, Washington.



“Cover” means the depth of material lying between the top of the sewer or drain and the finish grade immediately above it.

“Customer” means a property owner that has a connection to the district's sewer system.

“Detached Accessory Dwelling Unit” means a separate and complete dwelling unit not attached in any way to the main or existing dwelling unit; designed for occupancy by a family. In addition to an existing or permitted dwelling, there shall be no more than one Detached Accessory Dwelling Unit per lot. Detached Accessory Dwelling Units shall be clearly a subordinate part of an existing residence.

“District” means the Birch Bay Water and Sewer District, a special purpose district and municipal corporation of Whatcom County, state of Washington.

“District sewerage system” means the system of conduits, pumps, treatment plants and structures used for the purpose of conveying from their source, treating in any manner, and conveying to final points of disposal all wastes of any nature permitted by this chapter to enter such system.

“Downspout” means a pipe which conducts water from a roof of a building or structure.

“Engineer” means any consulting engineer or any district employee performing engineering work for the district.

“Equivalent living unit” (“ELU”) and “residential customer equivalent” (“RCE”) mean a unit estimated to have approximately the same water use and/or to produce the same sewer waste as one single-family residence, to be determined in accordance with this chapter.

“Excess I & I” means: (1) any combination of infiltration and inflow (“I & I”) that causes the volume of flow discharged to the District sewer system from a Premises during any consecutive 24 hours in the Wet Weather Period to increase by more than 2.3 times the average rate of flow from said Premises during the preceding period of 30 consecutive days and/or (2) any combination of infiltration and inflow (“I & I”) resulting in a volume of flow discharged to the District sewer system from a Premises which causes, or contributes significantly to, an overflow of the District’s collection, transmission and pumping system. Evidence of Excess I & I may include but will not be limited to flow monitoring, smoke testing, video testing and dye testing.

“Excess I & I Report” means a report prepared under the direction of the General Manager in support of a recommendation to the Board regarding Excess I & I.

“Fixture units” as used in this title means that measure of the quantity of liquid waste that a sewer or drain plumbing fixture is capable of discharging as specified in the Uniform Plumbing Code, as adopted and amended in the most current Whatcom County ordinances. In situations where the plumbing fixtures for sewer are not listed in the Uniform Plumbing Code as specified above, fixture units shall be determined by this code and other applicable policies and procedures approved by the board of commissioners.

“Garbage” means putrescible waste from the preparation, cooking and dispensing of food, from the handling, storage and sale of produce.

“General manager” means the general manager of the district or any authorized employee of the district performing work on behalf of the general manager.

“Hotel/Motel” means any building or group of attached buildings not designed for separate ownership, intended or designed with separate rooms or divided living spaces to be used, rented or hired out, or to be occupied for sleeping purposes only by transients for varying lengths of time, including less than one week.

“I & I” means infiltration and inflow. Infiltration takes place when groundwater enters side sewers through deteriorated or damaged side sewer pipes. Inflow occurs when stormwater is discharged into side sewers or the sewer system through direct connections, such as downspouts, foundation drains, and driveway drains. I & I is the major deterrent to the successful performance of a wastewater conveyance or treatment system.

“Inside” means the side sewer constructed on private property from the plumbing outlet to the stub sewer.

“Mains” means sewer lines designed or used to serve more than one premises.

“Mobile Home” means a dwelling designed for long-term human habitation by one family and having complete living facilities; constructed and fabricated into a complete unit at a factory and capable of being transported to a location of use on its own chassis and wheels; identified by a model number and serial number by its manufacturer and designed primarily for placement on an impermanent footing. A unit which was originally built as a mobile home but which has substantially lost its mobility through being placed on a permanent footing, and which wholly meets state standards for such units, shall not be considered to be a mobile home and shall be treated as a single-family dwelling for the purpose of this ordinance only when it is fixed to a permanent footing and tongue and axle have been removed and skirting installed.

“Mobile Home Park” means any parcel or adjacent parcels of land in the same ownership which is utilized for occupancy by more than two mobile homes. This term shall not be construed to mean campgrounds, recreational vehicle parks or tourist facilities for camping.

“Multiple Family Residence” means a single building, or portion thereof, designed for or occupied by two or more families living independently of each other in separate dwelling units on one lot of record and, for the purpose of this code, includes duplexes, triplexes, fourplexes, apartment buildings, and residential condominiums.

“Multiple dwelling” means a multiple-family dwelling, namely, a building designed and/or used to house two or more families living independently of each other and including all necessary household functions of each such family, such as, motels, hotels and apartments.



“Natural outlet” means any outlet into a watercourse, pond, ditch, lake, bay or other body of surface or ground water.

“Other structure” means any building other than a single-family or multiple-family dwelling.

“Outside connections” means any sewer constructed in a public right-of-way and where the public agency who has jurisdiction of such right-of-way requires a permit fee or any other charge.

“Park Model Trailer” means a trailer designed to provide seasonal or temporary living quarters which may be used with temporary connections to utilities necessary for operation of installed fixtures and appliances. It has a gross trailer area not exceeding 400 square feet or is approved by the state as a park model trailer.

“Park Model Trailer Court” means any parcel or adjacent parcels of land in the same ownership which is utilized for occupancy by more than two park model trailers. This term shall not be construed to mean campgrounds, recreational vehicle parks or tourist facilities for camping.

“Person” means any individual, company, partnership, corporation, association, society or group; and the singular term shall include the plural.

“pH” means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

“Plumbing outlet” means, in plumbing, the part of the lowest horizontal piping of a drain-age system that received the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the side sewer (house connection). The latter begins thirty inches outside the inner face of the building wall.

“Premises” means a continuous tract of land, building or group of adjacent buildings under a single control with respect to the use of sewer and responsibility for payment therefor. Subdivisions of such use or responsibility shall constitute a division into separate premises as defined in this section.

“Properly shredded garbage” means garbage which has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch in any dimension.

“Public sewer” means any sanitary sewers, including but not limited to trunks, laterals, stubs and force mains and being constructed by the district or any person within the public right-of-way or easement obtained by the district.

“Residential customer” means a customer of the district utilizing the premises connected to the district system for residential purposes.

“RV” or “Recreational Vehicle” or “Camping Trailer” means a motor vehicle, or portable structure capable of being transported on the highways by a motor vehicle, that is designed and intended for

casual or short-term human occupancy for travel, recreational and vacation uses without a permanent foundation; identified by a model number (RV), serial number and vehicle registration number; equipped with limited water storage and other self-contained living facilities. The term "recreational vehicle" shall include self-contained campers, motor homes and travel trailers and shall not include park model trailers, as they are not self-contained units.

"RV Park" or "Camping Trailer Park" means a parcel of private land in which three or more contiguous sites are primarily for occupancy by recreational vehicles for travel, recreation or vacation uses. For mobile home parks, only spaces that are designated and/or are used for recreational vehicles shall constitute a recreational vehicle park. For the purposes of these regulations, the term "recreational vehicle park" shall include camping clubs.

"Sanitary sewage" means wastewater derived from domestic, commercial and industrial wastes and to which storm, surface, and ground water are not intentionally admitted.

"Sanitary sewer" means a sewer which carries sanitary sewage.

"Service connection" means that portion of the district sewer system connecting the private service line on a premises to the district distribution main, including the connection into the sewer main, the sewer related appurtenances, the service line from the main to the property line.

"Sewage" is a comprehensive term including industrial waste, storm drainage and wastewater.

Shall-May. "Shall" is mandatory; "may" is permissive.

"Side sewer" means a sanitary sewer pipe leading from a plumbing outlet, drain or other facility to the stub sewer of the public sewer system.

"Single-Family Residence" means a single residential structure providing complete independent living facilities and intended for long-term human habitation and occupancy by a single family.

"Standard mains" or "permanent mains" means mains conforming to the standard specifications or the District with respect to methods, materials and/or minimum diameter.

"Standard specifications" means those standard specifications, conditions, and requirements for sewer system construction which have been adopted by the board of commissioners of the District. This term includes standard specifications, conditions, and applicable requirements contained in the District's Developer Project Manual, latest edition.

"Storm drain" means a public or private drain which carries storm and surface water or drainage effluent from storm plumbing outlets, and other unpolluted water.

"Structure" means anything constructed or erected, the use of which requires location or attachment to something having location on the ground, and shall in addition include but not be limited to trailers, mobile homes and house trailers, but shall not include fences and walls.



“Stub sewer” means a sewer constructed from the lateral or trunk sewer to the property line, or edge of perpetual easement of the property being served.

“Substandard mains” means mains not con-forming to the standard specifications of the district with respect to methods, materials and/or minimum diameter.

“Suspended solids” means solids that either float on the surface of or are in suspension in water, wastewater or other liquids, and which are largely removable by laboratory filtering.

“Unpolluted water” means water in its natural state, or water which after use for any purpose, is not substantially changed as to chemical or biochemical qualities.

“Wastewater” means the spent water of a community. From the source, it may be a combination of the liquid and water carried wastes from residence and commercial buildings, industrial plants and institutions, together with any groundwater, surface water, and stormwater that may be present.

“Wet Weather Period” means the months of October through March, inclusive.

Section 5: BE IT FURTHER RESOLVED that any resolutions or parts of resolutions in conflict herewith are hereby repealed insofar as they conflict with the provisions of this resolution.

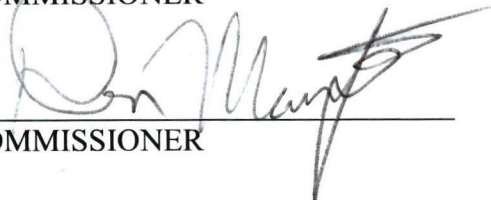
Section 6: If any section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution. The Board of Commissioners hereby declare that it would have passed 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 7: This Resolution shall be effective immediately.


ADOPTED by the Board of Commissioners of Birch Bay Water & Sewer District, Whatcom County, Washington, at a regular meeting held the 23<sup>rd</sup> day of February, 2023.

  
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COMMISSIONER

  
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COMMISSIONER

THIS IS TO CERTIFY that the above is a true and correct copy of Resolution No. 782 of Birch Bay Water & Sewer District, Whatcom County, Washington, adopted at the regular meeting of the Board of Commissioners on February 23, 2023.

  
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SECRETARY