

C. If after the hearing, the City Council deems it fitting and proper, it shall order a licensed and bonded contractor or the city superintendent to proceed to excavate and install a backwater valve of suitable design and construction to prevent a reoccurrence of flooding damage to said property from sewage from city sewer lines.

D. If property owner, after such installation has been made by the city, fails, neglects or refuses to pay the cost of such construction and installation, including labor, material, parts and rental equipment, the city may file a lien against said property and foreclose said lien in Superior Court in the manner provided by statutes for the foreclosure of Mechanic's or Materialman's lien.

13.09.040 Conforming regulation. A. The city of Kettle Falls' city superintendent shall have the right of approval of type and manufacture of proposed backwater valves. Installation of backwater valves shall be accessible for inspection.

B. After installation of the backwater valve, the property owner shall be required, at his own expense, to maintain the backwater valve in a sanitary and safe operating condition.

13.09.050 Severability clause. If any section, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid, for any reason, such decision should not affect the validity of the remaining portions of this ordinance. (Ord. 1499, 1993).

## Chapter 13.10

### FLOOR DRAINS

#### Sections:

- 13.10.010 Purpose.
- 13.10.020 Application.
- 13.10.030 Violation - Penalty.
- 13.10.040 Conforming regulation.

13.10.010 Purpose. The purpose of this ordinance is to prevent water damage within buildings within the city limits of Kettle Falls.

13.10.020 Application. A. All new construction within the city limits of Kettle Falls shall be required to properly install floor drains in areas subject to water damage as determined by the administrative authority.

B. The owners of existing buildings within the city of Kettle Falls where they have filed a claim against the city for water damage which could have been prevented or mitigated by the proper installation of floor drains, shall be required to install floor drains, at their own expense, within forty-five (45) days of such occurrence, or such property owner shall execute and file with the city clerk a waiver of claim for any future damage resulting from lack of drainage, releasing the city from any future damages or expense.

C. The city recommends to owners of existing buildings that floor drains be installed in areas subject to water damage.

13.10.030 Violation - Penalty. If such property owner who has once suffered water damage and has filed a claim with the city does not within forty-five (45) days execute, deliver and file with the city clerk a waiver of claims for any future damages resulting from water damage which could have been prevented or mitigated by the proper installation of floor drains, from any cause, releasing the city of any future and further damages or expense or if said property owner does not within forty-five (45) days install floor

drains in his building and if within forty-five (45) days does further damage occur, said property owner shall be responsible for damages. The city of Kettle Falls, may if its administrative authority deems that it is proper to do so, proceed as follows: A. Notice shall be given to the property owner in writing that the city intends to enter upon said property and install floor drains.

B. Notice shall designate time and place for a hearing before the Kettle Falls city council.

C. If after the hearing, the City Council deems it fitting and proper, it shall order a licensed and bonded contractor or the city superintendent to proceed to excavate and install floor drains of suitable design and construction to prevent a reoccurrence of water damage to said property.

D. If property owner, after such installation has been made by the city fails, neglects or refuses to pay the cost of such construction and installation, including labor, material, parts and rental equipment, the city may file a lien against said property and foreclose said lien in Superior Court in the manner provided by statutes for the foreclosure of Mechanic's or Materialman's lien.

13.10.040 Conforming regulation. A. The city of Kettle Falls' administrative authority shall have the right of approval of type and manufacture of proposed floor drains. Installation of floor drains shall be accessible for inspection.

B. After installation of floor drains, the property owner shall be required, at his own expense, to maintain the floor drains in a sanitary and safe operating condition. (Ord. 1514, 1994).