

**ATTACHMENT #1**

**A REGULATION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA**

**Adoption of Title 07, Chapter 15  
Juneau International Airport Water and Wastewater System**

PURSUANT TO AUTHORITY GRANTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, THE MANAGER AND THE JUNEAU INTERNATIONAL AIRPORT BOARD HEREBY ADOPTS THE FOLLOWING REGULATIONS:

**Section 1. Authority.** These regulations are adopted pursuant to CBJ 01.60 and CBJ 05.01.080.

**Section 2. Adoption of Regulations.** The City and Borough of Juneau Administrative Code is amended by the adoption of a new Title 07, Chapter 15, reading:

**City and Borough of Juneau Administrative Code  
Title 07: Juneau International Airport  
Chapter 15: Water and Wastewater System**

Sections:

- 010 Policy
- 020 Design/Construction Requirements
- 030 Fees
- 040 Metering and Billing
- 050 Allowable Uses
- 060 Definitions

**07 CBJAC 05.010 Policy.** The policy of the City and Borough of Juneau International Airport Board (JNU), unless otherwise established by Assembly action, governing of the JNU Water/Sewer System (hereinafter referred to as “system” or “systems”) is as follows:

- (a) The extension of systems on the airport will be to achieve various objectives in the following priorities:
  - (1) Safety and fire protection;
  - (2) Expansion of commercially available lease lots;
  - (3) Availability to private aircraft hangars;
  - (4) Centralized aircraft wash-down and toilet facilities;
  - (5) Other
- (b) Availability of systems to tenant facilities is expressly not for the purpose of establishing rental or residential uses in any facility or for establishing commercial office or retail space in private hangars. Use of facilities shall be as specified in individual tenant leases.
- (c) Water usage by tenants will be charged according to the rate schedule set out in the CBJ Water Utility Code, CBJ 75.01 et seq. at a cost recovery rate plus other fees established by the Board to help cover the cost of routine maintenance, repairs, and replacement or expansion of system. It is recognized that these fees will not cover the entire cost of replacement, but will be set to assist in that effort when

**Comment [Pd1]:** Language change per CBJ Law Dept.

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~~required~~—Such fees shall be segregated from general airport revenues and restricted to payment for water usage and for use of maintenance and/or expansion of the system.

(d) Wastewater/sewer usage by tenants will be charged according to the rate schedule set out in the CBJ Sewer Code, CBJ 75.02 et seq.

**Comment [Pd2]:** Added section per CBJ Law Dept.

~~(e)~~(e) Any permits, approvals, and fees required of a tenant associated with that tenant's connection to the system shall be paid before that connection will be allowed.

~~(f)~~(f) Any tenant in arrears on any payments to the Airport or to the City and Borough of Juneau shall bring all accounts up to date prior to being permitted to connect to the system.

~~(g)~~(g) Except where specified to the contrary, all other provisions of CBJ Code Title 75, SYSTEMS, shall apply equally to the JNU system and administration.

~~(h)~~(h) Connections shall be fore use of individual tenants, their guests, and/or their customers.

**07 CBJAC 15.020 Design/Construction/Maintenance Requirements.** The following describes the manner in which the Airport will undertake expansion and maintenance of the system and a tenant will be permitted to connect.

- (a) Expansion of the system by the Airport shall be in a manner which brings a main line into an area such that it is accessible to connection by a tenant. Such project will be undertaken in priority set by the Airport Board, with such funding as the Board may make available for such expansion.
- (b) Should a tenant wish to connect to the Airport system prior to such time as the Airport has constructed a readily available main line, the tenant, after coordination with the Airport Manager, may elect to extend the line to his/her facility at his/her own cost. Such undertaking by the tenant shall be in accordance with the Airport's plan for future expansion of the system and done in such a way as to minimize disruption to Airport and tenant operations.
- (c) Any main lines installed shall be placed in such a manner as to minimize disruption to operations during initial construction or in the event of required repairs.
- (d) During installation of the main line, tenants proximate to the installation will be given the opportunity to add connections or fittings necessary for their connection; such additions will be the tenant's cost.
- (e) Items for which the tenant will be responsible if he/she wishes to connect to the system are:
  - (1) Coordination with and approval of the Airport Manager for the connection;
  - (2) All permit, inspection and connection fees;
  - (3) Design or engineering drawings for their specific connection;
  - (4) Excavation, bedding and backfilling of main lines in order to add connections and of trenches from the main lines to their facility

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- (5) Replacement/repair of any pavement affected by the installation to comply with Airport standards.
- (6) Maintenance and repair of tenant installed pipes, fixtures, etc.
- (f) Nothing in the foregoing paragraph will prevent the tenant from coordinating with Airport Management to take advantage of open trenches which the Airport has made as part of an Airport project.
- (g) Cost of the connection to private hangars shall be limited to that which would normally be expected for an off-airport residential installation. Such cost will be established by the Airport Board through this regulation.

**07 CBJAC 15.030 Fees.** ~~It is recognized that the City and Borough of Juneau, CBJ Engineering Department, Regulatory Division, establishes fees for CBJ permits and required inspections. These fees are outside of the authority of the Airport Board and as such are not considered here. It is anticipated these~~ are the full responsibility of the tenant.

The Airport Board sets the following rates and fees for tenant's connection or connected to the Airport System:

- (a) Connection fees, Permit fees and Inspection fees:
  - Water: As established by CBJ
  - Sewer: As established by CBJ

~~(b) Water Usage – Commercial rate: \$15.50/month up to 4,000 gallons, plus \$2.00 per thousand gallons (or any fraction thereof) over 4,000 gallons. The water service rates and charges set out in CBJ 75.01.180, as amended from time to time.~~

**Comment [Pd3]:** Language change per CBJ Law Dept.

~~(c) Wastewater – Commercial rate: \$55.00/month up to 4,000 gallons, plus \$7.30 per thousand gallons (or any fraction thereof) over 4,000 gallons. The sewer rates and charges set out in CBJ 75.02.130, as amended from time to time.~~

**Comment [Pd4]:** Language change per CBJ Law Dept.

~~(d) Water Usage – Private rate: \$10.00/month~~

~~(e) Wastewater – Private rate: \$25.00/month~~

~~(f)(d) Hydrant Meter/Wrench Usage (per use): \$10.00 flat fee plus \$2.00 per thousand over first 1,000 gallons usage. Rates as established by CBJ 75.01.190, as amended from time to time.~~

**Comment [Pd5]:** Language change per CBJ Law Dept.

~~(g) Central Wash Station Use Fee: \$10.00 per use~~

**07 CBJAC 15.040 Metering and Billing.**

- (a) BILLING OF TOTAL AIRPORT USAGE: Metering of total Airport usage will be accomplished through meters installed by the CBJ Public Works Department at the point where the CBJ water system enters into the Airport boundary. The rate paid for total water usage within the Airport will be

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at the rate established by the CBJ Assembly for large commercial users. Billing for such usage will be handled the same as any other large commercial user within CBJ.

(b) Billing for Usage in Premises by Airport Tenants:

- (1) ~~At the time of establishment of this regulation, certain tenants of the Airport were metered and billed for water usage by CBJ Public Works. Such tenants will continue to be metered and billed in the same manner.~~ Billing and collections for the Airport system will be handled by the CBJ Finance Department ~~Public Works Department~~, with a monthly report provided to Airport Management regarding usage and billing.
- (2) Commercial, governmental, and large private tenants will be connected to the JNU water system through a water meter specific to that tenant. The meter readings for that tenant will be used as the basis for billing to that tenant. Such tenants will be billed based on both water and wastewater connections.
- (3) Small private tenants will not be individually metered. Such tenants will be billed on a flat monthly/quarterly rate. Such tenants will be distinguished by either a water only connection or a water and wastewater connection and will be billed accordingly.

Comment [Pd6]: Word change per CBJ Law Dept.

(c) Other System Use: Airport shall collect the fees and charges from persons using the fire hydrants, aircraft wash stations, or other metered public use water stations at the time of use, or provide billing information for collection of CBJ Accounts Receivable.

(d) At the discretion of the Airport Board, all tenants and users may be levied a system surcharge to assist in paying of the overall system and for centralized facilities which may be constructed or made available.

### 07 CBJAC 15.050 Allowable Uses.

- (a) Water: Usage of water and control of wastewater will be done in such a way as to not create a hazard or nuisance.
- (b) Wastewater: Connections to the wastewater system are restricted to uses in accordance with appropriate federal, state, and CBJ guidelines, laws, and regulations as to use. For example, discharges from storm drains, roof drains, area drains or oil/water separators are specifically prohibited from connection to the wastewater system. Additionally, hazardous or toxic substances shall not be placed into the wastewater system.
- (c) Penalty for improper or Unauthorized Uses. Penalties or fines assess to the Airport for improper use of the water/wastewater system will be passed through to any tenant who was the cause for such penalty/fine.

**07 CBJAC 15.060 Definitions.** For purposes of this chapter, unless the context plainly requires otherwise, the following definitions apply:

- (a) Customer Sewer Line means the sewage pipe, including clean out, extending from the premises served to the sewer main;

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- (b) Customer Water Line means the pipe, valves, and fittings, including any meter, laid from the water main into the tenant's facility;
- (c) Main means both water and sewer main;
- (d) Large Private Tenant means any tenant whose lease specifies private aircraft storage only but is in a hangar larger than the standard 40 feet by 60 feet "executive" style hangar;
- (e) Sewage means a combination of water-carried wastes and the wastewater disposed of from tenant facilities;
- (f) Sewer Main means the pipe laid for the purpose of carrying sewage discharged from the customer sewer line;
- (g) Small Private Tenant means any tenant whose lease specified private aircraft storage only but is in a hangar equal to or smaller than the standard 40 feet by 60 feet "executive" style hangar. This would include all "T-Hangars".
- (h) System/Systems means the water and wastewater system within the airport boundary which connects to the City and Borough of Juneau, Public Works water and wastewater system.
- (i) Water Main means the pipe, usually two inches inside diameter or larger, laid in or alongside a taxiway, taxilane, or road that brings service into or through an airport block of lots for the distribution of water to the tenants through their customer water line connection.

**Section 3. Notice of Proposed Adoption of a Regulation.** The notice requirements of CBJ 01.60.200 were followed by the agency. The notice period began on \_\_\_\_\_ 2014, which is not less than 21 days before the adoption of these regulations as set forth below.

**Adoption by Agency**

After considering all relevant matter presented to it, the agency hereby adopts these regulations as set forth above. The agency will next seek Assembly review and consent.

Date: \_\_\_\_\_

\_\_\_\_\_  
Jerry Godkin  
Juneau International Airport Board

Submitted to the Assembly at its meeting of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Patricia A. deLaBruere  
Airport Manager

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Assembly Review

Comment [Pd7]: Moved sequence to after Legal Review to follow other regulation format

~~These regulations were presented to the Assembly at its meeting of \_\_\_\_\_ . They were adopted by the Assembly.~~

~~Date: \_\_\_\_\_  
\_\_\_\_\_ Laurie J. Sica, Clerk~~

**Legal Review**

These regulations have been reviewed and approved in accordance with the following standards set forth in CBJ 01.60.250:

- (1) Its consistency with federal and state law and with the charter, code, and other municipal regulations;
- (2) The existence of code authority and the correctness of the required citation of code authority following each section; and
- (3) Its clarity, simplicity of expression, and absence of possibility of misapplication.

Date: \_\_\_\_\_  
\_\_\_\_\_ Amy Mead  
City Attorney

Assembly Review

These regulations were presented to the Assembly at its meeting of \_\_\_\_\_ . They were adopted by the Assembly.

Date: \_\_\_\_\_  
\_\_\_\_\_ Laurie J. Sica, Clerk

**Filing with Clerk**

I certify, as the clerk of the City and Borough of Juneau, that the following statements are true:

- 1. These regulations were accepted for filing by the office of the clerk at \_\_\_\_\_ a.m./p.m. on the \_\_\_\_\_ day of \_\_\_\_\_, 2014.
- 2. After signing I will immediately deliver or cause to be delivered copies of this regulation to the attorney and director of libraries.
- 3. A permanent file of the signed originals of these regulations will be maintained in this office for public inspection.
- 4. Effective date: \_\_\_\_\_.

Date: \_\_\_\_\_  
\_\_\_\_\_ Laurie J. Sica, Clerk