

15.04.022 Utility Service in the Urban Growth Area

- A. Connection to or use of City utility services for property located outside of the City limits but within the designated Snohomish Urban Growth Area (UGA) may be allowed. However, nothing in this Title obligates the City to provide utility services to property located in the UGA but outside of City limits.
- B. All proposals to connect utility services within the UGA but outside of City limits shall be subject to the review and approval of the City Engineer on a case-by-case basis.
- C. The City Engineer may approve utility connections outside of the City only if all of the following criteria are met:
 - 1. An annexation covenant and power of attorney, in a form approved by the City Attorney, is recorded with the Snohomish County Auditor's Office. The covenant shall irrevocably declare the intention to annex the property and to petition for and consent to such annexation immediately upon the initiation of an annexation by any of the methods provided by law of any area contiguous to the City in which the property is located and to not protest, in any manner whatsoever, the annexation of the property; and
 - 2. Proposed development is consistent with city standards as determined by the City Engineer.
 - 3. For existing structures or development the only criteria that must be met is the criteria described in subsection 1 above.
- D. The City Engineer may deny connection to City utility services outside of City limits but within the UGA if it is determined allowing the connection would not serve the best interests of the public health, safety, or welfare, even if a proposal meets the criteria of section C above.
- E. NE Sewer Area
 - 1. Any connections to City utility services in the NE Sewer area but outside of City limits shall comply and be consistent with all of the requirements of SMC 15.04.047, NE Sewer Area.
 - 2. No annexation shall be permitted in the NE Sewer Area unless and until a covenant and agreement as required by Ordinance 2252 from each property in the area to be annexed is executed.
 - 3. The City shall not be obligated to extend sewers or increase capacity of its sewer system to accommodate annexation in the NE Sewer Area.