Seattle Public Utilities

Director's Rule

Title		Number	Rev. no.
Utility System Improvement Dispute Process		ENG-430.1	1
Responsibility		**Supersedes**	**Pages**
Development Services Office		N/A	2
General Manager/CEO Signature	**Approval Date**	**Effective Date**	

1. PURPOSE

The purpose of this Director's Rule is to establish and outline the dispute procedure for system improvements. The requirements apply to water (SMC 21.04 – Water Rates and Regulations) and drainage and wastewater (DWW), which includes the public sanitary sewer, public combined sewer, (SMC 21.16 – Side Sewers) and public storm drain systems (SMC 22.800 - 22.808 – Stormwater Code).

2. ROLES AND RESPONSIBILITIES

A. Seattle Public Utilities (SPU) is responsible for determining water system improvement requirements through the Water Availability Certificate (WAC).
B. Seattle Department of Construction and Inspections (SDCI) is responsible for determining DWW system improvement requirements through the Preliminary Assessment Report (PAR) process.
C. Seattle Department of Transportation (SDOT) is responsible for permitting Street Improvement Plans (SIP) and Utility Major Permits (UMP) when a utility main extension is required.

3. RULE

A. Manager Level Determination Review

After the initial utility system improvement requirement is determined, an applicant may request a Manager Level Determination Review for a water and/or DWW system improvement requirement.

1) The request must be submitted by noon on Monday for consideration in the next Manager Level Determination Review meeting.
2) The Manager Level Determination Review ommittee:
   a) Meets every two weeks.
   b) Consists of appropriate managers and subject matter experts as determined by SPU's Development Services Office (DSO).

2) In some cases, the Manager Level Determination Review Committee will review a complex project prior to WAC issuance. In these cases, a Manager Level Determination Review request will go directly to the Division Director Level Determination Review.

B. Division Director Level Determination Review

If the applicant requests further review after receiving the Manager Level Determination response, the project may be escalated to the SPU Division Director Level. The Division Director Level Determination Review committee:

1) Meets as necessary.
2) Consists of appropriate SPU Directors, subject matter experts as determined by SPU's DSO, and the City of Seattle Law Department.

C. Criteria for Requesting Determination Review

The criteria for requesting a Determination, at any level, must directly relate to a specific City of Seattle requirement. The applicant must have legal standing with the project to make the request. Accepted criteria include:

1) Engineering infeasibility with documented professional engineering support.
2) Requirement issued in error. Applicant must provide substantive facts.
3) Last lot exemption (for water main extensions only).

Other reasons will be rejected, including proportionality or financial hardship except as outlined in SMC 22.800.040.C.1.a, Exceptions, only for stormwater requirements.

D. General Information

1) Incomplete submittals will be rejected.
2) Determination requests are permitted for 18 months from the date of the WAC or PAR issuance.
3) The applicant submits the Determination Review request through Seattle's Services Portal. The request is linked directly to the WAC or PAR outlining the disputed requirement.
4) SPU communicates in writing to the applicant within two weeks of the committee meeting. The communication outlines the justification for upholding or overturning the requirement.

4. AUTHORITY/REFERENCES

- SMC 22.800 - 22.808 – Stormwater Code
- SMC 21.16 – Side Sewers
- SMC 21.04 – Water Rates and Regulations