

KITSAP COUNTY SEWER DISTRICT No. 7

RESOLUTION 98 - 2

WHEREAS, opening of District manholes without authorization, and;

WHEREAS, leaving said manholes open or exposed in such a manner that objects and/or persons could fall therein, and;

WHEREAS, unauthorized persons have opened and/or entered District manholes and have left said manholes unmarked and/or protected in such a manner as to prevent accidental entry, and;

WHEREAS, actions, such as enumerated above, have caused hazardous conditions for the public, and;

WHEREAS, these actions, either by intent or carelessness, have resulted in unnecessary expense for the District, and;

WHEREAS, District facilities are to <sup>be</sup> accessed only by duly authorized persons;

THEREFORE, the District declares that it shall pursue all possible legal remedies against any person, persons and or organization, or organization employed by a property owner responsible for dislodging, opening or otherwise tampering with the Districts' manholes or trespassing on its facilities, or causing damage or placing obstructions in manholes, lines or tanks, or in anyway damaging any District buildings, fences, driveways, electrical or communications equipment, trees or other property, and shall levy a charge of one thousand dollars (\$1,000.00) against any such person which must be paid along with any repair costs caused by the damage or obstruction before any District services may be used in addition to bringing complaints in Municipal, County and State courts under the malicious mischief statues as the laws may provide, including, but not limited to Bainbridge Island Municipal Code Sections 9.40.040 (Trespass), 9.40.020 (Malicious Mischief), and 9.70.010 (Disorderly Conduct) Section E reagrding endangering "...safety of others".

BE IT SO RESOLVED this 12<sup>th</sup> day of June, 1998.

W. I. Reese, President

S. L. Bourlier  
S. L. Bourlier  
Commissioner

C. L. Spier  
C. L. Spier, Secretary