

CITY OF FIFE, WASHINGTON

ORDINANCE NO. 1783

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON AMENDING SECTIONS 3.10.010, 3.10.030, 3.20.010, 3.80.030, 3.80.040, 3.80.050, 3.80.090, 3.80.110, 3.80.140, 3.80.150, 3.80.180, 3.80.190, 3.80.200, 3.80.210, 3.80.220, 5.01.110, 5.01.130, 5.01.140, 5.01.155, 8.12.020, 9.12.060, 9.12.070, 9.12.080, 10.52.040, 10.52.060, 11.01.110, 12.08.070, 13.04.020, 13.04.050, 13.04.090, 13.04.140, 13.04.160, 13.04.170, 13.04.190, 13.04.270, 13.04.320, 13.08.460, 13.09.040, 13.10.020, 13.18.100, 15.12.020, 15.32.030, 15.34.070, 15.70.040, 16.07.080, 16.08.030, 16.08.050, 20.10.080, and 20.10.110 AND REPEALING SECTION 3.10.040, CHAPTER 3.31 (SECTIONS 3.31.010, 3.31.020, AND 3.31.030) AND CHAPTER 3.78 (SECTIONS 3.78.010, 3.78.020, 3.78.030 AND 3.78.040) OF THE FIFE MUNICIPAL CODE RELATING TO THE DELEGATION OF ADMINISTRATIVE AUTHORITY TO THE CITY MANAGER FOR SETTING ADMINISTRATIVE FEES AND CHARGES

WHEREAS, it is a goal of the City of Fife to promote transparency in governance and ease of access to information for Fife customers; and

WHEREAS, the rates for various fees charged by the City for the services it provides are scattered throughout the City's code book which is inconvenient for the public, and also makes it difficult to review and update the fees on a regular basis; and

WHEREAS, the format of the City's fee schedules predates the City changing its form of government in order to provide for the administration of the City by a professionally trained manager; and

WHEREAS, by delegating to the City Manager the authority to annually adjust the fees the City charges for classes, programs, permit processing, various applications and other routine administrative services will reduce the cost of updating the City's code book, and allow the City Council to focus on policy issues instead of administrative issues; now therefore,

THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. The Fife Municipal Code is hereby amended as set forth in Exhibit A attached hereto.

Section 2. Each and every provision of this Ordinance shall be deemed severable. In the event that any portion of this Ordinance is determined by final order of a court of competent jurisdiction to be void or unenforceable, such determination shall not affect the validity of the remaining provisions thereof, provided the intent of this Ordinance can still be furthered without the invalid provision.

Section 3. This Ordinance shall be in full force and effect five (5) days after publication as required by law. A summary of this Ordinance may be published in lieu of the entire Ordinance, as authorized by State law.

Introduced on the 24th day of July, 2012.

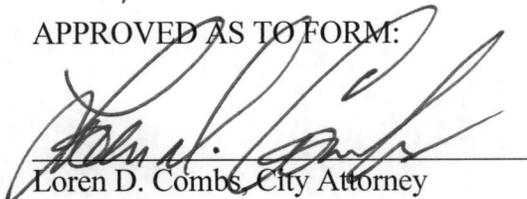
Passed by the City Council on the 14th day of August, 2012.


David K. Zabell, City Manager

ATTEST:


Carol Etgen, City Clerk

APPROVED AS TO FORM:


Loren D. Combs, City Attorney

Published: 8/16/12
Effective Date: 8/21/12, 2012.

**EXHIBIT A
TO
ORDINANCE NO. 1783**

The following sections of the Fife Municipal Code are hereby amended as follows:

3.10.010 Authority to establish fees and charges.

The city manager is authorized to establish reasonable charges for providing copies of City documents, and to establish fees and charges for providing all city services for which the City is authorized by law to impose a fee or charge, and such fee or charge is not set elsewhere in the Fife Municipal Code. The city manager shall annually review the schedule of fees and charges established under this section and amend it as necessary, to assure that the city recovers its costs for providing such documents and services. When setting fees and charges for services provided by the Parks, Recreation and Community Services Department the city manager may also take into account the reasonable and fair market value of those services, but in any event the fee shall not be set higher than the reasonable estimate of the cost to the city of providing the service. The initial schedule of fees and charges established under this section was approved by the City Council by the adoption of resolution 1489.

3.10.030 Fee Schedule Available to Public.

The most recent version of the approved fee schedule shall be continuously posted on the City's website, and shall be available for inspection and copying at City Hall. Those portions of the fee schedule applicable to each City department shall be posted and made available for inspection and copying at the appropriate department's administrative offices.

3.20.010 Designated – Refunded when.

A fee for filing an application for a current use assessment shall be assessed plus all costs incurred for advertising the application. The fees shall be refunded to the applicant only in the event that the application is withdrawn or denied prior to the time the city has incurred costs in advertising the application. The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

3.80.030 Appeal fee – Appeals to hearing examiner.

The fee for an appeal to the hearing examiner of decisions that relate to a single-family residence shall be assessed, as set forth in the current Fee Schedule, when the project or proposal is not part of a larger project, and shall be refunded if the appellant is successful in his or her appeal. For all other appeals, the appellant shall be responsible for payment of actual costs and expenses incurred, including but not limited to the time and expenses of the hearing examiner, and shall submit a deposit in the amount as set forth in the current Fee Schedule with the filing of the

appeal. Unless waived by the director in writing, no appeals will be accepted by the city without the appropriate fee or deposit.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

3.80.040 Change of nonconforming use or structure fee.

A fee for a permit for a change of nonconforming use or structure shall be assessed for single-family, multifamily, commercial, and industrial developments and uses as set forth in the current Fee Schedule. If the application requires engineering review, the applicant is responsible for the city engineer's hourly fees. The city engineer will estimate his hours and the applicant shall pay that estimate in addition to the stated fee at the time of application.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

3.80.050 Conditional use permit fee.

The fee for applications for a conditional use permit relating to a single-family residence shall be as set forth in the current Fee Schedule when the project or proposal is not part of a larger project. For all other conditional use permit applications, the applicant shall be responsible for payment of actual costs and expenses incurred, including but not limited to the time and expenses of the hearing examiner, and shall submit a deposit in an amount as set forth in the current Fee Schedule with the application. If the application requires engineering review, the applicant is responsible for the city engineer's hourly fees. The city engineer will estimate his hours and the applicant shall pay that estimate in addition to the stated fee or deposit at the time of application.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

3.80.090 Lot line adjustment fee.

A fee for a lot line adjustment is as set forth in the current Fee Schedule plus the city engineer's hourly review fee. The city engineer will estimate his hours and the applicant shall pay that estimate in addition to the stated fee at the time of application. The applicant is responsible for recording the lot line adjustment and paying the recording fees.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

3.80.110 Pre-application conference fee.

The hourly fee for a pre-application conference shall be as set forth in the City's current Fee Schedule.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

3.80.140 Rezone fee.

The fee for a rezone shall be as set forth in the current Fee Schedule. If the application requires engineering review, the applicant is responsible for the city engineer's hourly fees. The city engineer will estimate his hours and the applicant shall pay that estimate in addition to the stated fee at the time of application.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

3.80.150 SEPA fees.

A. Environmental Impact Statement. The fee for processing an environmental impact statement shall be based upon actual review costs. The costs shall be estimated at the time the city determines the environmental impact statement is required. The estimated fee shall be paid prior to any permits being issued or approved. The estimated fee shall include the cost of the final environmental impact statement. Supplements to the statements shall be charged for all review costs. The city will not prepare environmental impact statements on private projects but must approve the consultant used by the applicant to prepare the document.

B. Determination of Nonsignificance. The fee for a determination of nonsignificance (DNS) shall be as set forth in the current Fee Schedule. If an applicant is charged this fee and it is later determined that a mitigated determination of nonsignificance is necessary, the applicant shall pay the difference in fees.

C. Mitigated Determination of Nonsignificance. The fee for a mitigated determination of nonsignificance (MDNS) shall be as set forth in the current Fee Schedule. If an applicant is charged for a mitigated determination of nonsignificance and it is later determined that a determination of nonsignificance is appropriate, the city shall refund the difference in fees if, in the opinion of the director, a refund is warranted.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

3.80.180 Special event permit fee.

The fee for a special event permit shall be as set forth in the current Fee Schedule. The applicant shall also be billed for any necessary police, public works, or other city personnel or services required as a result of the special event. If the cost for city personnel or services is known prior to the special event, payment of that fee is required prior to the special event permit being issued. No additional special event permits shall be issued for an applicant until all previous fees have been paid.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife’s website: www.cityoffife.org.

3.80.190 Special use/combining district fee.

The fee for a special use/combining district shall be as set forth in the current Fee Schedule. If the application requires engineering review, the applicant is responsible for the city engineer’s hourly fees. The city engineer will estimate his hours and the applicant shall pay that estimate in addition to the stated fee at the time of application.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife’s website: www.cityoffife.org.

3.80.200 Special use permit fee.

The fee for a special use permit shall be as set forth in the current Fee Schedule.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife’s website: www.cityoffife.org.

3.80.210 Street vacation fee

The fee for a street vacation shall be as set forth in the current Fee Schedule.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife’s website: www.cityoffife.org.

3.80.220 Variance fee.

A fee for applications for a variance from the zoning code or sign code relating to a single-family residence shall be assessed, as set forth in the current Fee Schedule, when the project or proposal is not part of a larger project. For all other variance applications, the applicant shall be responsible for payment of actual costs and expenses incurred, including but not limited to the time and expenses of the hearing examiner, and shall submit a as set forth in the current Fee Schedule with the application. If the application requires engineering review, the applicant is responsible for the city engineer’s hourly fees. The city engineer will estimate his hours and the applicant shall pay that estimate in addition to the stated fee or deposit at the time of application.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

5.01.110 License fees.

A. The annual license fee shall be determined by the greatest number of employees of the business, employed between January 1st and December 31st of the preceding year in which the license is payable. The number of employees shall be determined by the employer's highest numerical count and most recent employer's unemployment compensation quarterly report filed with the Washington State Employment Security Department. A new business that has not yet established or reported employee information to the state shall determine their initial license fee by the maximum number of employees to be employed during that calendar year.

B. License Fee Schedule – Classification. Unless a set fee is listed for a particular type of business, the license fee shall be based on the number of employees as set forth in the current Fee Schedule. (Note: the owner shall be included when determining the number of employees.)

C. If a business commences doing business in the city after July 1st, then the first year license fee shall be one-half the license fee otherwise required by subsection B of this section.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

5.01.130 License renewal.

A. Applications for renewal of licenses must be completed and returned to the license officer, together with the appropriate license fee, current, updated information and attachments as specified in FMC 5.01.100.

B. The license officer shall send a renewal notice to each licensee at the last address provided to the city. Failure of the licensee to receive any such form shall not excuse the licensee from making application for and securing the required renewal license, or from payment of the license fee when and as due hereunder.

C. All licenses shall expire on December 31st, if not renewed as described herein. A renewal license applicant shall meet all of the requirements specified in FMC 5.01.090. No person whose license is revoked may be considered for relicensing for a period of one year, following the effective date of license revocation.

D. A renewal license application shall be considered delinquent if not received by February 1st. A renewal license application received after February 1st shall be subject to penalties as set forth in the current Fee Schedule.

Any person engaged in a valid business in Fife whose business license has not been renewed after 90 days shall be guilty of a misdemeanor.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

5.01.140 License approval or denial.

A. The license officer is responsible for collecting license fees and issuing licenses.

B. Prior to issuing a license the license officer shall route all applications to the community development and police departments for their endorsements as to compliance by applicant with all city regulations which they have the duty of enforcing.

C. Upon approval of the application, the license shall be issued and delivered to the applicant.

D. No license shall be issued or renewed if any of the conditions listed in FMC 5.01.150 exist or apply to the license applicant or premises proposed to be licensed or if the applicant fails to meet the requirements of FMC 5.01.090.

E. Upon denial of the application, the fee paid shall be forfeited by the applicant to the city to defer the administrative costs of the application. The city shall promptly provide notice that the application has been denied.

F. The license officer shall approve or deny all applications for licenses required hereunder. Any applicant denied a license, or any person objecting to the issuance of any such license, may, within 10 days after the issuance or denial of such license, appeal said ruling by filing a written notice of appeal with the license officer and paying an appeal fee. The appeal fee shall be refunded if the appellant is successful. The notice of appeal shall state the action being appealed and all grounds upon which the appeal is based. The license officer shall forward the appeal to the hearing examiner who shall set a date for the hearing of such appeal, which appeal shall be governed by Chapter 2.92 FMC. The hearing examiner shall notify the applicant and any person having filed written request for notice as to the date and time of hearing. If an application for a license is denied, and the applicant has filed a timely appeal of such denial, the applicant shall not conduct any business for which a license was denied, during the pendency of the appeal.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

5.01.155 Notice of suspension or revocation.

A. If the license officer determines that any of the conditions listed in FMC 5.01.150 have occurred or exist with respect to any existing license, licensee or licensed premises, the license officer shall notify the licensee, in writing, by personal service or by certified mail, postage

prepaid, return receipt requested, addressed to such licensee at his address as it appears on the most recently issued license of the suspension or revocation of his license and shall list the grounds for the revocation or suspension pursuant to FMC 5.01.170.

B. Any licensee may, within 10 days after mailing of such notice of suspension or revocation, appeal from such suspension or revocation by filing a written notice of appeal setting forth specifically the grounds therefor with the license officer. The notice of appeal shall be accompanied by a license appeal fee. The license officer shall forward the appeal to the hearing examiner who shall set a date for the hearing of such appeal pursuant to Chapter 2.92 FMC. The hearing examiner shall notify the licensee by mail of the time and place of the hearing. After the hearing upon the appeal, the hearing examiner shall prepare appropriate findings of fact, and conclusions of law, and either affirm or modify the suspension or revocation or overrule the suspension or revocation and thereby reinstate the license. The hearing examiner may impose any terms upon the continuance of the license which the hearing examiner deems advisable.

C. No suspension or revocation of a license issued pursuant to the provisions of this title shall take effect until 10 days after the license officer has mailed the notice thereof to the licensee. If the licensee appeals pursuant to this section, the suspension or revocation shall be stayed pending final action by the hearing examiner pursuant to Chapter 2.92 FMC.

D. Upon finalization of the revocation or suspension of any license as provided in this chapter, no portion of the license fee shall be returned to the licensee. It is unlawful for any person whose license has been revoked or suspended to continue doing business in the city of Fife, or refuse to surrender the license to the license officer upon the effective date of the suspension or revocation.

E. When a license is revoked, the license officer shall cancel the license and file the same in the official records of the city. When the license is suspended, the license officer shall retain the license until the end of the suspension and return the same to the business owner if all conditions of the suspension have been met.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

8.12.020 License – Fee.

The annual license fee for the sale of such fireworks as may be authorized under this chapter, or may be authorized by the provisions of the laws of the state, shall be payable in advance.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

9.12.060 False alarm – Second response through twentieth response.

For a second through twentieth emergency response to a false alarm within the current calendar year, a fee for each response will be charged as set forth in the current Fee Schedule..

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

9.12.070 Action after a twentieth false alarm.

After a twentieth false alarm within a calendar year the chief of police may at his discretion disconnect or cause to be disconnected any alarm that terminates in the Fife police department. For alarms that may not be disconnected, for whatever reason, or alarms that do not terminate in the Fife police department, a fee for each false alarm after the twentieth false alarm will be charged as set forth in the current fee schedule.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

9.12.080 Monitoring fee.

Each enterprise terminating an alarm in the Fife police communications center shall be charged a fee per month. This includes from one to three alarm terminations; i.e., burglary, robbery and/or fire. This fee shall be over and above any fees charged by the alarm servicing and installation company and is payable to the city on a monthly basis.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

10.52.040 Transportation permits – Oversized loads – Fees.

- A. All over legal loads, except over weight, single trip;
- B. Continuous operations of over legal loads having either over width or over weight features only, for a period not to exceed 30 days⁷. Continuous operations of over legal loads having over-length features only, for a period not to exceed 30 days;
- D. Continuous operation of a combination of vehicles having one trailing unit that exceeds 48 feet, and is not more than 56 feet in length, for a period of one year;
- F. Continuous operation of a three-axle fixed load vehicle having less than 65,000 pounds gross weight, for a period not to exceed 30 days;
- G. Continuous operation of over legal loads having nonreducible features not to exceed 85 feet in length and 14 feet in width, for a period of one year;
- H. Fleet Permits. Fleet permits for continuous operation of over legal loads having nonreducible features not to exceed 85 feet in length and 14 feet in width may be issued upon payment of the scheduled fee for the designated time, plus an additional fee for each additional fleet vehicle.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

10.52.060 Temporary additional tonnage permits.

Pursuant to RCW 46.44.090, when a combination of vehicles has been lawfully licensed to a gross weight of 80,000 pounds, and when a three or more axle single unit vehicle has been lawfully licensed to a total gross weight of 40,000 pounds, a transportation permit for temporary additional tonnage (10 days or less) may be issued by the city police department; provided, that the gross weight limits shall not exceed the limits stated in this section and those established in RCW 46.44.041 and 46.44.042 and upon the payment of fees as set forth in the current Fee Schedule.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

11.01.110 Payments required.

A. Pay an application fee for the consideration of an application for issuance, renewal, transfer, or modification of a franchise or license in an amount that allows the city to recover its actual administrative expenses incurred in receiving, reviewing, processing, considering, denying, or approving the issuance, renewal, transfer, or modification of a franchise or license. The initial deposit of the application fee for the consideration of an application for issuance, renewal, transfer, or modification of a franchise shall be submitted with the application or for a license in the amount as set forth in the current Fee Schedule. The city may, as costs are incurred, draw upon the deposit to recover its administrative costs, including, but not limited to, the reasonable cost of outside consultants and legal counsel retained by the city related to the city's consideration and processing of a franchise, permit or license. The city manager, at any time, may require the applicant to deposit additional sums if it appears that the initial deposit or subsequent deposits will be exhausted prior to the final action by the city relating to the consideration by the city of an application for issuance, renewal, transfer, or modification of a franchise or license. In the event of denial of a franchise, permit or license by the city or the refusal of the applicant to accept the franchise, permit or license as approved by the city, the cost to the city for any appeal by the applicant, including, but not limited to, reasonable costs for outside consultants, attorney fees and trial expenses shall be paid by the applicant, if an appeal is unsuccessful. This requirement to pay the administrative costs is pursuant to the police powers of the city and as authorized by law and any obligation to pay such costs, including attorney fees, shall not be construed to arise by contract or to be incurred to enforce the provisions of a contract. The applicant will not be entitled to further consideration by the city of its requested action until such time as the additional deposit required by the city manager has been deposited with the city. In the event the amount of the deposit of an applicant is in excess of the amount of the administrative expenses of the city related to the action requested, then the applicant shall be entitled to a return of any such excess amount.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

B. Pay all other fees or payments required under this title or other applicable laws, ordinances or regulations.

C. In the event the city determines by resolution or ordinance that an impact assessment shall be assessable, pay such impact assessment to reflect, as far as permissible under applicable law, the damage caused or expected to be caused to the rights-of-way by the installation of the facility.

12.08.070 Deposit by permit holder.

No permit shall be issued under the provisions of this chapter in any instance in which the applicant will store, use, mix or process building materials on the paved portion of any street, alley or other public place until the applicant shall deposit with the finance director-treasurer the fee as set forth in the Fee Schedule. No mortar, cement, plastic, asphalt or similar material shall be mixed, used or processed on any paved portion of any street, alley or public place unless such is done in a suitable machine, box or container, and in such a manner that none of the material spills or in any manner comes in contact with the street, alley or other public place or any part thereof is washed into the gutters or sewers. Should the permittee fail to properly clean the street, alley or public place of any and all debris and other materials occasioned by the work done by the permittee, the public works superintendent shall cause such debris or other materials to be removed, and the cost of such removal shall be deducted from the deposit. Should the amount of the deposit be insufficient to meet the cost of restoring the street to a good and clean condition, the applicant's bond shall be liable therefor.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

13.04.020 Permit application – Minimum deposit.

All applications for permits for the use of water shall be made to the public works director-city engineer. Such application shall be made by the owner of the property to which the water is to be furnished. The applicant shall state fully and truly the purposes for which the water may be required, and must agree to conform to the rules and regulations thereof that may be established from time to time as conditions for the use of water. The applicant shall be required to pay a nonrefundable permit fee to the finance director-treasurer.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

13.04.050 Delinquent accounts – Shutoff and reconnect fees.

A. The water service shall be discontinued if the water bill is not paid in full within 10 calendar days after the penalty date.

B. If the water service is discontinued, then before service will be reconnected, the delinquent water bill, outstanding penalties and the reconnection fee must be paid in full.

C. The reconnection fee shall be paid under the following circumstances:

1. For reconnection during regular business hours, on the same business day as payment received, if payment is received by 3:00 p.m., and on the next business day if payment is received after 3:00 p.m.;

2. For reconnection other than during hours as described in subsection (A) of this section;

3. Reconnect for unauthorized turn-on by other than employees of the city shall be billed at the actual cost incurred.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

13.04.090 Installation and connection charges.

A. A permit will be issued for the use of water after the connection charge as set forth in the current Fee Schedule is paid.

B. Any service in which the meter is over one and one-half inches in size shall be charged the actual cost of the time and materials required for installation of the service, plus 15 percent to cover the city's overhead.

C. All new construction, residential and commercial, on property which is located within 200 feet of a water main of the city shall be required to extend the water main to and across the entire frontage of their property and connect to the city water system prior to the occupancy of the building. No new wells except municipal wells shall be constructed and no alterations to existing wells except municipal wells shall be permitted on properties that can be served, within 200 feet of a water main of the city, or are now served by the city water system.

D. Sprinkler connections shall be constructed at the property owner's expense, subject to approval and inspection by the community development department.

E. Water connection charges may be reduced, with proper approval of the community development director or designee, if the connection is constructed and paid for by the property owner. The community development department must review plans of proposed connection, and inspect and approve the connection prior to the service being activated. A connection/engineering review fee shall be paid at the time of application. All inspection fees shall be as set forth in the current Fee Schedule; a minimum of one hour shall be charged.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

F. Any person, firm or corporation desiring to construct any new or the replacement of water service systems, water mains or side water lines which are to be constructed by anyone other than the city shall first submit a plan for said construction to the community development

department. To assure that an as-built plan is submitted for the city records and approved by the community development department, the water meter shall be secured in the off position and remain that way until the as-built plan is received and approved.

13.04.140 Fire hydrant – Permit required for use – Violation.

A. Any person, firm or corporation desiring water service from a fire hydrant or hose connection shall first make application for a hydrant use permit to the city and pay an annual fee, due January 1st of each year.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

B. Any person, firm or corporation making connections to or alterations in any pipe wherever water may be drawn from the city's mains or taking water from any fire hydrant, bib pipe or fixture of any kind, without first having secured and having in their possession a hydrant use permit for the same from the city, shall be guilty of a misdemeanor. All fines collected under this section shall be placed to the credit of the water/sewer operating fund.

13.04.160 Fire hydrant – Operation by inspector – Cost borne

When it is deemed necessary by the public works department, the city will furnish an inspector to operate a fire hydrant or hose connection to avoid damage and to obtain the necessary information for computing the volume of water consumed. The expense for the services of the inspector and equipment furnished shall be paid by the applicant.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

13.04.170 Fire hydrant – Monthly rates for water consumption

The monthly rate for the water consumed from fire hydrants shall as set forth in the current Fee Schedule. The user shall be billed for the service until the city is notified in writing that the service is to be discontinued.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

13.04.190 Vacant premises – Service discontinuance procedures.

Should it be desired to discontinue the use of water supplied to vacant premises for a period of not less than 30 days, notice in writing must be given to the finance director-treasurer. The water will then be turned off and turned on again on written application for a fee. No remission of charges will be made for a period less than 30 days, or without the notice.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

13.04.270 Fire protection service – Standby charges.

The monthly rate for water supplied for the purpose of building sprinkler systems and fire hydrants on private property shall be as set forth in the current City of Fife Fee Schedule.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

13.04.320 Meters – Testing procedures and charges.

In the event of the meter's getting out of order and failing to properly register the amount of water used, the property owner shall be charged at the average rate of monthly consumption as shown by the meter when in order. When the property owner requests that the meter be checked for errors and upon checking it is found that the meter complies with the requirements of the laws of the state in regard to water meters, a fee shall be made and added to the billing of the property owner. If said meter is found to be incorrect, then no charge shall be made for the meter check.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

13.08.460 Sewer permits – Connection and inspection fees.

A. An application for a permit to connect to the city sewer system shall be made to the public works director. Such application shall be made by the owner of the property to which the sewer service is to be provided. The applicant shall state fully and truly the purposes for which the permit is required, and must agree to conform to all rules and regulations thereof that may be made and established from time to time, and conditions for connection to and service of the sewer system. Every connection to the sewer system of the city shall be required to pay connection and inspection fees as set forth in the current Fee Schedule.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

B. In addition to the connection/inspection fees, there may also be assessments for latecomer agreements, LIDs, ULIDs or other assessments of record levied against the property.

C. All connection fees are payable to the finance director-treasurer prior to issuance of the permit.

D. All connections and any repairs or any work requiring excavation in the streets and other thoroughfares of the city shall be done by employees of the city or by bonded contractors, as determined and directed by the public works director, or his authorized representative. All costs associated with a side sewer connection shall be borne by the property owner.

E. Any person, firm or corporation desiring to construct any new or replacement sewer lines which are to be constructed by anyone other than the city shall first submit a plan for said construction to the public works department. Payment for plan review and processing costs as required in FMC 3.80.010(B) shall be made prior to issuance of the associated sewer permit. To assure that an as-built plan is submitted for the city records and approved by the public works department, the water meter shall be secured in the off position and remain that way until the as-built plan is received and approved. Plan review and inspection fees shall not be applicable to repair work but shall apply only to new construction.

F. Before connecting such pipe with the municipal sewer system, the property owner to be serviced by such extension shall execute a bill of sale to the city for the sewer main and appurtenances together with an easement, if required by the city, for the sewer main and appurtenances.

13.09.040 License – Fee.

The license fee for a side sewer contractor’s license is payable annually and in advance as set forth in the current Fee Schedule.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife’s website: www.cityoffife.org.

13.10.020 Permit required.

B. A permit shall be valid for the calendar year in which it is obtained. The initial permit application fee, and the permit renewal application fee shall each be charged.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife’s website: www.cityoffife.org.

13.18.100 Payment of bills – When due – Penalty – Lien.

A. The billing date shall be the last calendar day of February, April, June, August, October, and December of each year. Storm drainage bills are due and payable on the last calendar day of the month following the applicable billing date (“due date”). A storm drainage bill is considered delinquent if not paid in full by the applicable due date. A penalty shall be assessed on all delinquent accounts on the fifth calendar day after the account becomes delinquent (“penalty date”). However, when the penalty date is a Saturday, Sunday, or legal holiday, the penalty shall not be assessed if the full payment is received by the next succeeding business day.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

B. The city of Fife may disconnect water service for any customer whose bill for storm drainage and surface water management services is delinquent, in which case the shutoff and reconnect fees set forth in FMC 13.04.050, as now or hereafter amended, shall apply.

C. Pursuant to RCW 35A.21.150 and Chapter 35.67 RCW, the city may place a lien on any parcel with a delinquent service charge. Such liens shall be effective and shall be enforced and foreclosed in the same manner as provided for sewerage liens of cities and towns by RCW 35.67.200 et seq., except that the service charge lien shall be effective for a total not to exceed one year's delinquent service charges without the necessity of any writing or recording of the lien with the county auditor, as provided for in RCW 35.67.215.

15.12.020 Fee schedule.

A. Permit Issuance. As set forth in the current Fee Schedule.

B. Unit Fee Schedule (in addition to subsections (A)(1) and (2) of this section As set forth in the current Fee Schedule

C. Other Inspections and Fees. . As set forth in the current Fee Schedule.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

15.32.030 General provisions.

A. Abrogation and Interpretation. It is not intended that this chapter repeal, abrogate, or impair any existing regulations, easements, covenants, or deed restrictions. However, where this chapter imposes greater restrictions, the provisions of this chapter shall prevail. When any provision of any other chapter of the FMC conflicts with this chapter, that which provides more environmental protection shall apply unless specifically provided otherwise in this chapter. The provisions of this chapter shall be held to be minimum requirements in their interpretation and application, and shall be liberally construed to serve the purposes of this chapter.

The public works department is authorized to adopt procedures for the purpose of carrying out the provisions of this chapter.

B. Stormwater Drainage Permits. Any person proposing development or redevelopment of a parcel that falls within the parameters of this chapter shall be required to submit an application for a stormwater drainage permit to the city of Fife. The application shall include:

1. The name and address of the applicant;
2. The name and address of the property owner;
3. The exact location of the proposed work by street address and/or parcel number;
4. Civil drawings and other information required by the manual;
5. Low impact development requirements as required by FMC Title 21; and
6. Other information as requested.

The application will be reviewed by the public works department, the city engineer, the local drainage district, and other applicable agencies as determined by the city of Fife public works director.

C. Regulated Activities. Prior to fulfilling the requirements of this chapter, Fife shall not grant any approval or permission to conduct a regulated activity. Regulated activities include but are not limited to the following permits and approvals: building permit; binding site plan; conditional use permit; grading and clearing permit; right-of-way permit; shoreline substantial development permit; variance, rezone, subdivision or any subsequently adopted permit or required approval not expressly exempted by this chapter.

D. Permit Issuance. Regulated activities that require a stormwater site plan under this chapter shall only be conducted after the city of Fife approves the plan. Upon approval of the stormwater site plan, the city of Fife shall issue a storm drainage permit.

E. Storm Drainage Plan Check Fees. A fee for storm drainage plan check shall be charged to all storm drainage plan submittals. The purpose of the fee is to recover all costs associated with the plan review. The amount of the fee shall be the actual costs incurred by the city engineer in reviewing the plans, consulting fees charged for meetings conducted in reference to the storm drainage plan, plus a 15 percent administrative fee. The city shall not issue any permits for a parcel until the storm drainage plan check fee has been paid in full. A partial payment of the drainage plan check fee shall be collected at the time the storm drainage plan is submitted to the city

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

15.34.070 Inspection program.

A. Inspection. Whenever implementing the provisions of this inspection program or whenever there is cause to believe that a violation of this chapter has been or is being committed, the inspector is authorized to inspect during regular working hours and at other reasonable times all stormwater drainage systems within the city to determine compliance with the provisions of this chapter.

B. Procedures. Prior to making any inspections, the inspector shall present identification credentials, state the reason for the inspection, and request entry.

1. If the property or any building or structure on the property is unoccupied, the inspector shall first make a reasonable effort to locate the owner or other person(s) having charge or control of the property or portions of the property and request entry.

2. If, after reasonable effort, the inspector is unable to locate the owner or other person(s) having charge or control of the property, and has reason to believe the condition of the stormwater drainage system creates an imminent hazard to persons or property, the inspector may enter.

3. Unless entry is consented to by the owner or person(s) in control of the property or portion of the property or unless conditions are reasonably believed to exist which create imminent hazard, the inspector shall obtain a search warrant, prior to entry, as authorized by the laws of the state of Washington.

4. The inspector may inspect the stormwater drainage system without obtaining a search warrant provided the inspection can be conducted while remaining on public property or other property on which permission to enter is obtained.

C. Annual Inspection Schedule. The director shall establish a master inspection and maintenance schedule to inspect appropriate stormwater facilities that are not owned by the city. Inspections shall be annual. Critical stormwater facilities may require a more frequent inspection schedule.

D. Annual Inspection Fee. The fee for the annual inspection shall be as set forth in the current Fee Schedule.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

This fee shall be paid to the city of Fife.

E. Inspection and Maintenance Records. As existing stormwater facilities are encountered, they shall be added to the master inspection and maintenance schedule. Records of new stormwater facilities shall include the following:

1. As-built plans and locations.
2. Findings of fact from any variance granted by the city.
3. Operation and maintenance requirements and records of inspections, maintenance actions, and frequencies.
4. Engineering reports, as appropriate.

F. Reporting Requirements. The director shall report annually to the city council about the status of the inspections. The annual report may include, but need not be limited to, the proportion of

the components found in and out of compliance, the need to upgrade components, enforcement actions taken, compliance with the inspection schedule, the resources needed to comply with the schedule, and comparisons with previous years.

15.70.040 Nonresidential development – Required to pay into fund.

In addition to the installation of emergency radios, all new or remodeled nonresidential developments located within the city of Fife shall be required to pay area fee into the city's dedicated emergency notification system fund.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

16.07.080 Maintenance enforcement

The public works director-city engineer may order the removal or maintenance of any sign that is not maintained in a safe and orderly condition. The order for removal or maintenance of any sign shall be sent by the public works director-city engineer to the person to whom the sign permit was granted or to the property owner. The notice shall be sent by certified mail, return receipt requested. If the action requested in the order is not taken within the specified time period, the public works director-city engineer may direct the sign to be removed from the premises. The holder of the sign permit or the property owner shall be charged an amount equal to the city's cost for removal of the sign

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

16.08.030 Fee schedule.

Fees for sign permits for each sign erected, installed, affixed, structurally altered, relocated, or created by painting shall be as set forth in the current Fee Schedule.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

16.08.050 Refund of fees.

The fees set out in FMC 16.08.030 may be partially refunded in the event that no portion of any work authorized by the permit has been performed and provided that no inspections have been made. Such refunds must be authorized by the community development director upon written request of the applicant within 30 days from the date of permit issuance. Plan check fees are nonrefundable. If an applicant requests that a temporary sign permit fee be refunded, only a portion of the fee may be refundable.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

20.10.080 Calculation of impact fee.

A. Formulas for determining the amount of the impact fees assessed under this chapter will be adopted, from time to time, by ordinance of the city council. The city council shall hold a public hearing before adopting or amending impact fee formulas.

B. If the development for which approval is sought contains a mix of use, the impact fee must be separately calculated for each type of use.

C. Upon application by the developer supported by studies and data, the impact fee may be reduced or eliminated if it is shown that either:

1. The formulae adopted by the city council do not accurately reflect the impact; or

2. Due to unusual circumstances:

- a. Facility improvements identified for the applicable service are not reasonably related to the proposed development, or

- b. Such facility improvements will not reasonably benefit the proposed development.

D. Prior to making an application for any development approval, an applicant, upon payment of the applicable fee may request an impact fee determination, which determination shall be based upon information supplied by the applicant sufficient to permit calculation of the impact fee. The impact fee determination shall be binding upon the city for a period of six months unless there is a material change in either the development proposal or this chapter. The fee for a binding preapplication impact fee determination shall be as set forth in the current Fee Schedule. The fee shall be the actual cost of making the determination, including all legal, administrative, engineering and planning fees, and shall be paid before the written determination is provided to the applicant

The current Fee Schedule relating to this section of the Fife Municipal Code can be found at Fife City Hall and at City of Fife's website: www.cityoffife.org.

20.10.110 Appeals.

The determination of the development approval authority as to the applicability and amount of an impact fee, credit against an impact fee, and/or discount against an impact fee shall be appealable as provided for in this section.

A. The determination of the development approval authority shall be appealable to the hearing examiner. Such appeal may be perfected by the proponent or any aggrieved party by giving notice to the city manager within 10 days of the decision being appealed. Review by the hearing examiner shall be on a de novo basis.

B. The notice of appeal shall be made upon a form to be supplied by the city manager. A nonrefundable fee shall be paid at the time the notice of appeal is submitted. A hearing shall then be scheduled before the hearing examiner within 30 days of the filing of the notice of appeal and appeal fee.

The current Fee Schedule relating to this section of the Fife Municipal Code is available at Fife City Hall and at City of Fife's website: www.cityoffife.org.

C. The decision of the hearing examiner shall be in writing and shall include findings of fact and conclusions to support the decision.

D. The decision of the hearing examiner shall be final unless, within 21 calendar days, a party of record files and serves upon the city and all affected parties a petition for review under the Land Use Petition Act with the Pierce County superior court.

Ad Order Confirmation

Ad Order Number 0001331739
PO Number
Customer Account 220218AIM
Customer CITY OF FIFE
ACCOUNTS PAYABLE,5411 23RD ST E,
FIFE WA 98424-2061 USA

Phone Number 253-922-2489
Phone Number 2
Customer Fax

Payment Method
Total Amount \$214.40
Payment Amt \$0.00
Amount Due \$214.40

Ad Number 0001331739-01
Sales Rep. legals
Blind Box
Tear Sheets 3
Proofs 0
Ad Size 1.0 X 40 Li
Invoice Text: ORD 1783 & 1784
Affidavits 0
Placement Legal
Position Legals-001

Product	Start Date	Stop Date	# Inserts
The News Tribune	8/16/2012	8/16/2012	1

NOTICE OF ORDINANCES PASSED BY
THE CITY OF FIFE
ORDINANCE NO. 1783

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF FIFE, PIERCE COUNTY, WASHINGTON
AMENDING SECTIONS 3.10.010, 3.10.030,
3.20.010, 3.80.030, 3.80.040, 3.80.050,
3.80.090, 3.80.110, 3.80.140, 3.80.150,
3.80.180, 3.80.190, 3.80.200, 3.80.210,
3.80.220, 5.01.110, 5.01.130, 5.01.140,
5.01.155, 8.12.020, 9.12.060, 9.12.070,
9.12.080, 10.52.040, 10.52.060, 11.01.110,
12.08.070, 13.04.020, 13.04.050, 13.04.090,
13.04.140, 13.04.160, 13.04.170, 13.04.190,
13.04.270, 13.04.320, 13.08.460, 13.09.040,
13.10.020, 13.18.100, 15.12.020, 15.32.030,
15.34.070, 15.70.040, 16.07.080, 16.08.030,
16.08.050, 20.10.080, and 20.10.110 AND
REPEALING SECTION 3.10.040, CHAPTER 3.31
(SECTIONS 3.31.010, 3.31.020, AND 3.31.030)
AND CHAPTER 3.78 (SECTIONS 3.78.010,
3.78.020, 3.78.030 AND 3.78.040) OF THE FIFE
MUNICIPAL CODE RELATING TO THE DELEGATION
OF ADMINISTRATIVE AUTHORITY TO THE CITY
MANAGER FOR SETTING ADMINISTRATIVE FEES
AND CHARGES

A COMPLETE COPY OF THE ORDINANCE IS ON THE
City of Fife website, www.cityofife.org
Carol Etgen
City Clerk

ORDINANCE NO. 1784

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF FIFE, PIERCE COUNTY, WASHINGTON
AMENDING SECTION 5.01.010 OF THE FIFE
MUNICIPAL CODE TO PROVIDE CLARITY
REGARDING RESIDENTIAL LANDLORD BUSINESS
LICENSES

A COMPLETE COPY OF THE ORDINANCES ARE ON
THE City of Fife website, www.cityofife.org
Carol Etgen
City Clerk