

CITY OF FIFE, WASHINGTON

ORDINANCE NO. 1791

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON, AMENDING SECTIONS 16.04.080, 16.04.090, 19.02.030 AND 19.52.080 OF THE FIFE MUNICIPAL CODE TO REMOVE DISCRETIONARY AND INCONSISTENT LANGUAGE**

WHEREAS, the policies and guidelines followed by the City of Fife should be as clear and consistent as possible; and

WHEREAS, there are currently some sections in the Fife Municipal Code (FMC) that contain vague discretionary language; and

WHEREAS, it is desirable to remove vague, ambiguous, and/or inconsistent language from the FMC to foster consistent readings and results; now, therefore

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

Section 1. Section 16.04.080 of the Fife Municipal Code is hereby amended to read as follows:

**16.04.080 Community service event and/or award – Commercial zones.**

For community service events and/or awards, in commercial zones, the types of signs allowed will be banners (attached to buildings only) and “A-board.” The maximum size of the signs will be 32 square feet for banners and six square feet for “A-boards.” The maximum number of signs shall be consistent with FMC 16.04.040. All signs are required to be on private property. Off-premises banner signs are allowed with written permission of property owner. All signs must be removed within five days of the close of the event. Maximum time frame is 45 days. Permits are required.

Section 2. Section 16.04.090 of the Fife Municipal Code is hereby amended to read as follows:

**16.04.090 Community service event and/or award – Residential zones.**

For community service events and/or awards, in residential zones, the maximum size of the signs will be 32 square feet for banners and eight square feet for “A-boards.” The maximum number of signs shall be consistent with FMC 16.04.040. All signs are

required to be on private property. All signs must be removed within five days of the close of the event. Maximum time frame is 45 days. Permits are required.

Section 3. Section 19.02.030 of the Fife Municipal Code is hereby amended to read as follows:

**19.02.030 Interpretation of title.**

A. General Interpretation. In interpreting and applying the provisions of this title, they shall be held to be the minimum requirements for the promotion of the public health, safety and general welfare. It is not the intent of this title to interfere with or abrogate or annul any easement, covenant or other agreement between parties.

B. Relationship to Other Regulations. When this title imposes a greater restriction upon the use of structures or land than is imposed or required by other titles, ordinances, rules, regulations, easements, covenants or agreements, the provisions of this title shall control.

C. Responsible Official. It shall be the duty of the Community Development Director to decide matters of interpretation or applicability of any provision of this title, subject to the public hearing and appeal procedures contained herein.

D. Provisions Not Affected by Headings. Chapter and section headings within this title shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of any chapter or section.

E. Tenses. The present tense includes the future and the future the present. The singular includes the plural and the plural the singular.

Section 4. Section 19.52.080 of the Fife Municipal Code is hereby amended to read as follows:

**19.52.080 Planned development review criteria.**

A. Criteria for All Planned Developments. The following criteria shall apply to all planned developments:

1. Pedestrian-Oriented Design. There shall be a distinct separation of vehicular and pedestrian traffic within a planned development. The design must be in compliance with the City's public parks plan and comprehensive land use plan. This may require an improved pedestrian trail system that links the planned development's primary uses together and an improved pedestrian/bicycle trail easement which links at least a portion of the planned development's trail system to the pedestrian amenities adjacent to the planned development. The trail construction shall be as required by the City's comprehensive land use plan.

2. Compatible and Efficient Layout. Streets, lot lines, low impact development techniques and facilities, landscaping areas, open space, building footprints and/or other features shall be arranged for maximum traffic flow efficiency and minimal impact to natural features, existing traffic patterns and uses in the vicinity. Vehicular entrances and exits to the PRD shall be minimized by providing for common ingress, egress and circulation areas.

3. Compatibility with Adjacent Uses. The exterior of the planned development shall be highly compatible with adjacent uses. Compatibility may include, but is not limited to, restricted uses along the exterior of the development, building footprint location, open spaces, buffers, landscaping, architectural style and pedestrian/vehicular circulation linkages. The planned development shall be integrated into the existing community fabric.

4. View Protection. The planned development shall, to the greatest extent practicable, maintain existing views for adjacent properties and provide for views from within the planned development. In particular, view corridors of Mount Rainier from residential districts and existing residential uses shall receive priority for protection. Tree protection requirements in FMC Chapter 19.64 supersede this view protection section.

B. Additional PRD Review Criteria. In addition to the criteria identified in subsection A of this section, the following criteria shall apply to all PRDs:

1. Common Open Space. Common open space consists primarily of large usable areas which are owned by all property owners within a planned development and may include: sensitive area management tracts, wetland buffers, low impact development facilities, buffer yards, public space, landscaped or natural areas, recreational areas or an area for a recreation/socialization facility. Sufficient common open space for the types of uses envisioned within a PRD shall be provided.

2. Common Active Recreational Areas. Common active recreational areas are maintained areas under common ownership which include, but are not limited to, pedestrian trails, pools, child play areas, improved picnic areas and recreational buildings. Only that portion of a recreational building that is directly used for activities will be counted. Common recreational facilities, such as trails, play fields, community centers, sport courts and picnic areas, shall be provided. A common facility or open space should be an integral part of a PRD by being centrally located, being accessible to all occupants, and having buildings facing rather than backing onto it.

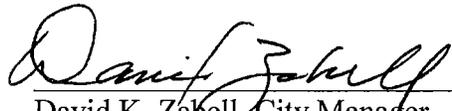
3. Variety of Housing Types, Styles and Affordability. Housing types within a PRD greater than or equal to 10 acres shall be varied to allow for a range of affordability. Although an overall architectural theme may be appropriate, there shall be a range of housing styles within a theme to avoid the monotony of identical structures.

Section 4. 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.

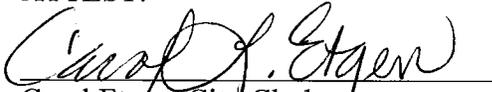
Section 5. This Ordinance shall be in full force and effect five (5) days after publication as required by law. A summary of this Ordinance may be published in lieu of the entire Ordinance, as authorized by State law.

Introduced the 9<sup>th</sup> day of Oct, 2012.

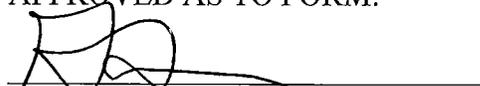
Passed by the City Council on the 23<sup>rd</sup> day of Oct 2012.

  
David K. Zabell, City Manager

ATTEST:

  
Carol Etgen, City Clerk

APPROVED AS TO FORM:

  
Loren D. Combs, City Attorney  
*am 4/11/12 City Attorney*

Published: 10/25/12  
Effective Date: Oct 30<sup>th</sup>, 2012.

### Ad Order Confirmation

**Ad Order Number** 0001346167  
**PO Number** ORD 1789-1812,1815/6/9  
**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** \$1,317.39  
**Payment Amt** \$0.00  
**Amount Due** \$1,317.39

**Ad Number** 0001346167-01  
**Sales Rep.** legals  
**Blind Box**  
**Tear Sheets** 3  
**Proofs** 0  
**Ad Size** 2.0 X 122 Li  
**Invoice Text:** ORD 1789-1812,1815,1816,1819  
**Affidavits** 1  
**Placement** Legal  
**Position** Legals-001

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Product	Start Date	Stop Date	# Inserts
The News Tribune	10/25/2012	10/25/2012	1

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NOTICE OF ORDINANCES PASSED BY  
THE CITY OF FFE

ORDINANCE NO. 1789

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, ADDING CHAPTER 2.04 AND SECTIONS 2.04.010, 2.04.020, 2.04.030, 2.04.040, 2.04.050, 2.04.060, 2.04.070, 2.04.080, AND 2.04.090 TO THE FFE MUNICIPAL CODE TO COPY THE CITY'S PUBLIC RECORDS POLICIES AND CORRELATE WITH CITY REQUIREMENTS

ORDINANCE NO. 1790

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, AMENDING SECTIONS 8.04.010 & 8.04.020 OF THE FFE MUNICIPAL CODE TO MORE PROBABLY AND ENFORCEABLY DEFINE "UTILITIES"

ORDINANCE NO. 1791

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, AMENDING SECTIONS 16.04.020, 16.04.050, 19.02.030 AND 19.52.050 OF THE FFE MUNICIPAL CODE TO REMOVE DISCREPANT AND INCONSISTENT LANGUAGE

ORDINANCE NO. 1792

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, AMENDING SECTION 10.04.310 OF THE FFE MUNICIPAL CODE TO GIVE NOTICE TO LEI-HOLDERS OF IMPOUNDED VEHICLES AND ALLOW LEI-HOLDER REDEMPTION

ORDINANCE NO. 1793

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, REPEALING CHAPTER 2.19 OF THE FFE MUNICIPAL CODE TO REMOVE "BUILDING OFFICIAL" FROM THE CODE

ORDINANCE NO. 1794

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, AMENDING SECTIONS 8.34.010, 8.34.020, 8.34.045 AND REPEALING 8.34.040 OF THE FFE MUNICIPAL CODE TO CONFORM TO THE REVISED CODE OF WASHINGTON AND APPLY CONSISTENTLY WITH THE FFE MUNICIPAL CODE REGARDING SIGNING IN CITY FACILITIES

ORDINANCE NO. 1795

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, AMENDING SECTION 2.52.310 AND REPEALING SECTION 2.52.370 OF THE FFE MUNICIPAL CODE TO REMOVE UNNECESSARY REQUIREMENTS FROM FFE POLICE DEPARTMENT PROCESSES

ORDINANCE NO. 1796

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, AMENDING SECTIONS 2.08.020, 13.04.200, 13.16.030, 13.16.050, 13.16.060 AND 15.04.105 OF THE FFE MUNICIPAL CODE TO UPDATE TITLES AND CORRECTLY ADOPT BY REFERENCE CURRENTLY USED SOURCES

ORDINANCE NO. 1797

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, ADDING SECTIONS 13.04.250 AND 13.18.120 AND AMENDING SECTION 13.02.030 OF THE FFE MUNICIPAL CODE TO CLARIFY BEARING REQUIREMENTS

ORDINANCE NO. 1798

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, AMENDING SECTIONS 6.04.010 AND REPEALING SECTIONS 6.04.020, 6.04.030, 6.04.040, 6.04.050, 6.04.060, 6.04.070, 6.04.080, AND 6.04.090 OF THE FFE MUNICIPAL CODE TO REMOVE OUTDATED PROCEDURES AND ADOPT CURRENT WASHINGTON ADMINISTRATIVE CODE REGULATIONS REGARDING DISEASED AND QUARANTINED ANIMALS

ORDINANCE NO. 1799

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, REPEALING CHAPTER 9.18 OF THE FFE MUNICIPAL CODE DEFERRING TO THE AUTHORITY OF THE STATE AND STATE DESIGNATED AGENCIES

ORDINANCE NO. 1800

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, REPEALING CHAPTER 5.52 OF THE FFE MUNICIPAL CODE AS BEING UNNECESSARILY RESTRICTIVE AND NO LONGER NECESSARY TO PRESERVE THE PUBLIC PEACE AND WELFARE

ORDINANCE NO. 1801

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, AMENDING SECTIONS 13.08.050 AND 14.10.030 OF THE FFE MUNICIPAL CODE TO CLARIFY THE DUTIES OF THE FFE HEARING EXAMINERS

ORDINANCE NO. 1802

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, AMENDING SECTIONS 6.04.100, 6.04.110, 8.18.050, 8.18.180, 12.08.060, 13.32.030, 15.02.250, 17.04.180, AND 19.52.070 AND REPEALING SECTIONS 6.04.130 AND 8.04.170 OF THE FFE MUNICIPAL CODE TO UPDATE AND KEEP CONFORMITY THROUGHOUT THE FFE MUNICIPAL CODE

ORDINANCE NO. 1803

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, AMENDING SECTIONS 5.06.020, 9.09.040, 9.13.010, 9.21.010, 9.22.040, 9.23.010, 9.27.010, 9.29.010, 9.33.010, 9.37.010, 9.39.010, 9.43.010, 9.54.010, 9.59.010, 9.59.010, AND 9.77.010 OF THE FFE MUNICIPAL CODE TO REMOVE INCORPORATION OF FEELINGS TO CORRECT CRIMINAL CODE LEVEL, AND TO UPDATE NEW CAPTIONS AS INCORPORATED BY REFERENCE INTO THE FAC

ORDINANCE NO. 1804

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, AMENDING 17.17.020 OF THE FFE MUNICIPAL CODE TO DEFINE "MONITOR SPECIES"

ORDINANCE NO. 1805

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, AMENDING SECTIONS 5.01.160, 13.04.220, 13.05.330, AND 13.08.340 OF THE FFE MUNICIPAL CODE TO CONFORM WITH ENTRY TO CURRENT STATE AND FEDERAL LAW

ORDINANCE NO. 1805

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, AMENDING SECTION 18.05.160 OF THE FFE MUNICIPAL CODE TO CLARIFY REQUIREMENTS FOR BUNK PLAT PREPARATION

ORDINANCE NO. 1807

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, AMENDING SECTION 9.08.040 OF THE FFE MUNICIPAL CODE TO REMOVE UNACCEPTABLE LANGUAGE AND MORE NARROWLY TIE THE PARAMETERS OF THE CRIME OF LOITERING

ORDINANCE NO. 1808

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, ADDING CHAPTER 8.21 AND SECTION 8.21.010 AND AMENDING SECTIONS 3.11.020, 3.11.030, 3.70.040, 3.70.050, 3.82.020, 3.18.070, 8.18.050, 8.32.010, 9.22.010, 9.23.010, 9.29.010, 9.41.010, 9.43.010, 9.44.020, 9.51.010, 9.54.010, 9.59.010, 10.04.045, 10.04.060, 10.04.070, 10.04.300, 10.04.320, 10.52.060, 10.60.080, 15.52.010, 17.04.230 AND 18.08.020 OF THE FFE MUNICIPAL CODE TO CONFORM WITH CURRENT THE VERSIONS OF THE REVISED CODE OF WASHINGTON, THE WASHINGTON ADMINISTRATIVE CODE AND THE TACOMA MUNICIPAL CODE AS ADOPTED BY REFERENCE IN THE FFE MUNICIPAL CODE

ORDINANCE NO. 1809

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, ADDING CHAPTER 15.75 AND SECTION 15.75.010 TO THE FFE MUNICIPAL CODE TO CLARIFY INFORMATION SURROUNDING DEMOLITION PERMITS

ORDINANCE NO. 1810

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, ADDING SECTIONS 18.32.030 AND 18.32.050 TO THE FFE MUNICIPAL CODE TO CLARIFY INFORMATION REGARDING FILE/GRADE PLAN REVIEW AND PERMIT FEES

ORDINANCE NO. 1811

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, ADDING SECTION 18.05.220 AND AMENDING SECTION 18.05.160 OF THE FFE MUNICIPAL CODE TO UPDATE THE LIMITATIONS ASSOCIATED WITH PRELIMINARY AND FINAL PLATS

ORDINANCE NO. 1812

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, AMENDING SECTION 10.22.010 OF THE FFE MUNICIPAL CODE TO MAKE WITH-PAPER OWNERS CONSISTENT

ORDINANCE NO. 1815

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, AMENDING THE TITLES TO CHAPTERS 3.60 AND 3.61 OF THE FFE MUNICIPAL CODE, AMENDING SECTIONS 3.60.010, 3.61.010, 3.61.015, AND 3.61.030 OF THE FFE MUNICIPAL CODE, AND ADDING SECTION 3.60.030 TO THE FFE MUNICIPAL CODE, ADDING A UTILITY TAX OF 0% FOR CELLULAR TELEPHONE, CABLE TELEVISION, AND GARBAGE, INCREASING THE UTILITY TAX FOR NATURAL GAS, TELEPHONE, SEWER, WATER, AND STORM DRAINAGE AND SURFACE WATER MANAGEMENT UTILITY SERVICES TO 0%, AND PROVIDING SUNSET PROVISIONS

ORDINANCE NO. 1816

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, AMENDING SECTION 3.85.020 OF THE FFE MUNICIPAL CODE REGARDING THE PUBLIC SAFETY FUND

ORDINANCE NO. 1819

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, ADOPTING AN IMMEDIATE INTERDICT ON THE ESTABLISHMENT, LOCATION, OR PERMITTING OF GAMBLING PREMISES; SETTING A PUBLIC HEARING; AND DECLARING THIS ORDINANCE A PUBLIC EMERGENCY ORDINANCE AND THIS BEING THE EMERGENCY