

CITY OF FIFE, WASHINGTON

ORDINANCE NO. 1797

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON, ADDING SECTIONS 13.04.350 AND 13.18.120 AND AMENDING SECTION 13.09.030 OF THE FIFE MUNICIPAL CODE TO EXTEND BONDING REQUIREMENT

WHEREAS, the City currently requires a bond prior to the issuance of a side sewer contractor's license; and

WHEREAS, Fife Municipal Code Section 13.09.030 currently only requires the bond to be effective through the completion of the work; and

WHEREAS, the Chapters concerning the water utility and storm water utility do not currently contain bonding requirements; and

WHEREAS, the City is not currently protected from judgments for damages to persons or property after the work is completed but before the work is accepted or through any warranty period; and

WHEREAS, it is important that the City be protected during periods where the contractor is still liable for defaults, defects or other issues with his work; and

WHEREAS, the City desires to have consistent requirements applying to all City utilities; now, therefore,

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

Section 1. Section 13.09.030 of the Fife Municipal Code is hereby amended to read as follows:

13.09.030 License – Bond required prior to issuance.

No side sewer contractor's license shall be issued until the applicant has first filed with the city a bond in the sum of not less than \$1,000, the form to be approved by the city attorney and with surety approved by the finance director-treasurer. Such bond shall be conditioned on the faithful conformance with the provisions of this chapter and shall be further conditioned to indemnify and save harmless the city from any and all judgments, costs or expenses arising from injuries or damage to any persons or property on account of such work, and shall be further conditioned that the permit applicant shall carry out and complete such work within the specified time and according to the terms of such

permit furnished by the utility superintendent. Such bond shall be continuously in effect from the date of issue, and may be further conditioned to cover all permits issued to the applicant; provided, that such bond by its terms provides that the same shall not be canceled unless and until the utility superintendent is given written notice of such intent to cancel a minimum of 10 days before the effective date of the cancellation. Such bond shall further provide that it shall remain in full force and effect until the acceptance by the City or expiration of any warranty period, whichever is longer, of any and all work which has been commenced or is to be commenced pursuant to any permit issued prior to the effective date of cancellation.

Section 2. A new section 13.04.350 is hereby added to the Fife Municipal Code to read as follows:

13.04.350 Utility Contract - Bond Requirements

No contract work on a City utility shall be approved until the applicant has first filed with the city a bond, the form to be approved by the city attorney and with surety approved by the finance director-treasurer. Such bond shall be conditioned on the faithful conformance with the provisions of this chapter and shall be further conditioned to indemnify and save harmless the city from any and all judgments, costs or expenses arising from injuries or damage to any persons or property on account of such work, and shall be further conditioned that the permit applicant shall carry out and complete such work within the specified time and according to the terms of such permit furnished by the utility superintendent. Such bond shall be continuously in effect from the date of issue, and may be further conditioned to cover all permits issued to the applicant; provided, that such bond by its terms provides that the same shall not be canceled unless and until the utility superintendent is given written notice of such intent to cancel a minimum of 10 days before the effective date of the cancellation. Such bond shall further provide that it shall remain in full force and effect acceptance by the City or expiration of any warranty period, whichever is longer, of any and all work which has been commenced or is to be commenced pursuant to any permit issued prior to the effective date of cancellation.

Section 3. A new section 13.18.120 is hereby added to the Fife Municipal Code to read as follows:

13.18.120 Utility Contract - Bond Requirements

No contract work on a City utility shall be approved until the applicant has first filed with the city a bond, the form to be approved by the city attorney and with surety approved by the finance director-treasurer. Such bond shall be conditioned on the faithful conformance with the provisions of this chapter and shall be further conditioned to indemnify and save harmless the city from any and all judgments, costs or expenses arising from injuries or damage to any persons or property on account of such work, and shall be further conditioned that the permit applicant shall carry out and complete such work within the specified time and according to the terms of such permit furnished by the utility superintendent. Such bond shall be continuously in effect from the date of issue,

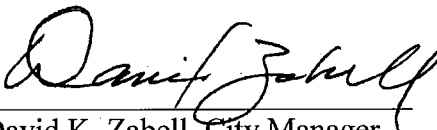
and may be further conditioned to cover all permits issued to the applicant; provided, that such bond by its terms provides that the same shall not be canceled unless and until the utility superintendent is given written notice of such intent to cancel a minimum of 10 days before the effective date of the cancellation. Such bond shall further provide that it shall remain in full force and effect acceptance by the City or expiration of any warranty period, whichever is longer, of any and all work which has been commenced or is to be commenced pursuant to any permit issued prior to the effective date of cancellation.

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 9th day of Oct, 2012.

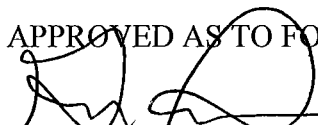
Passed by the City Council on the 23^d day of Oct 2012.


David K. Zabell, City Manager

ATTEST:


Carol Eygen, City Clerk

APPROVED AS TO FORM:


Loren D. Combs, City Attorney
asst city atty

Published: 10/25/12
Effective Date: Oct 30th, 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

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

LIST OF ORDINANCES PASSED BY
THE CITY OF FFE

ORDINANCE NO. 1788

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, ADDING CHAPTER 2.94 AND SECTIONS 2.94.010, 2.94.020, 2.94.030, 2.94.040, 2.94.050, 2.94.060, 2.94.070, 2.94.080, AND 2.94.090 TO THE FFE MUNICIPAL CODE TO COPY THE CITY'S PUBLIC RECORDS POLICIES AND COMPLY WITH CITY REQUIREMENTS

ORDINANCE NO. 1789

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 UNAMBIGUOUSLY DEFINE "MISLEACE"

ORDINANCE NO. 1791

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, AMENDING SECTIONS 16.04.030, 16.04.050, 19.02.030 AND 19.52.030 OF THE FFE MUNICIPAL CODE TO REMOVE DISCREPANCY 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 LEND-HOLDERS OF IMPOUNDED VEHICLES AND ALLOW LEND-HOLDERS REDEMPTION

ORDINANCE NO. 1793

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, REPEALING CHAPTER 2.18 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 CONSISTENCY WITH THE FFE MUNICIPAL CODE REGARDING SIGNING 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, 13.16.020, 13.16.030, 13.16.040 AND 15.04.100 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 EXTEND BEHIND REQUIREMENT

ORDINANCE NO. 1798

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, AMENDING SECTION 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 9.10 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 EXAMINER

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, 8.18.120, 12.08.060, 13.32.030, 15.02.250, 17.04.100, AND 19.52.070 AND REPEALING SECTIONS 6.04.130 AND 6.04.170 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 5.06.030, 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 THE OPERATIONS OF FIDELITIES, TO CORRECT CRIMINAL CODE LEVEL, AND TO UPDATE NEW CAPTIVES 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 "NONHORN 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, 13.09.330, 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 RAIN PLAT PREPARATION

ORDINANCE NO. 1807

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FFE, PIERCE COUNTY, WASHINGTON, AMENDING SECTION 9.08.030 OF THE FFE MUNICIPAL CODE TO REMOVE UNACCEPTABLE LANGUAGE AND MORE NARROWLY TARGET THE PARAMETERS OF THE CRIME OF LINGERING

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, 3.92.020, 3.16.070, 3.16.090, 3.32.010, 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, 10.04.080, 10.04.100, 10.04.220, 10.52.060, 10.60.060, 15.52.010, 17.04.230 AND 19.06.020 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 18.06.220 AND AMENDING SECTION 18.06.100 OF THE FFE MUNICIPAL CODE TO UPDATE THE MATRICES 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 10.32.030 OF THE FFE MUNICIPAL CODE TO MAKE NON-FRONT YARDERS 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 3.60.030, 3.61.010, 3.61.015, AND 3.61.030 OF THE FFE MUNICIPAL CODE, AND ADDING SECTION 3.60.037 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 MOTION/STOP ON THE ESTABLISHMENT, LOCATION, OR PERMITTING OF GAMBLING PREMISES; SETTING A PUBLIC HEARING; AND DECLARING THIS ORDINANCE A PUBLIC EMERGENCY ORDINANCE AND THAT IT SHALL BE IMMEDIATELY