

**CITY OF SNOHOMISH
Snohomish, Washington**

ORDINANCE 2354

AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON, AMENDING SMC CHAPTER 12.16 ENTITLED "LOCAL IMPROVEMENT GUARANTEE FUND, CHAPTER 14.290 ENTITLED "SCHOOL IMPACT FEES" AND CHAPTER 15.13 ENTITLED "STORMWATER UTILITY" TO REFLECT THE CITY'S RECENTLY ADOPTED BIENNIAL BUDGET PROCESS.

WHEREAS, On May 1, 2018, pursuant to Ordinance 2349, the City Council amended the City's budget process consistent with Ch. 35A.34 RCW allowing the City to adopt a biennial budget; and

WHEREAS, several other code provisions refer to an annual budget process that were not amended as part of the adoption of Ordinance 2349; and

WHEREAS, the amendments reflected in this Ordinance are necessary to ensure clarity and consistency with the biennial budget process adopted pursuant to Ordinance 2349; and

WHEREAS, the City Council by adopting this ordinance specifically ratifies and confirms the adoption of Ordinance 2349 and any and all acts consistent with said Ordinance 2349 occurring prior to the adoption of this ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SNOHOMISH, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Snohomish Municipal Code section 12.16.010, of Chapter 12.16 entitled "Local Improvement Guarantee fund," is hereby amended to read as follows:

12.16.010 Provision of moneys for fund.

Each year at the time the City Council shall, as part of the biennial budget and/or budget amendment process and its review of the annual levy needed to meet the financial requirements of the City, the Council shall include a levy in any amount not to exceed five per cent of the amount of bonds or warrants issued during the preceding fiscal year to meet the cost of local improvements in districts established and constructed during said fiscal year, as the Council may from time to time determine, unless the amount then in the "local improvement guarantee fund" shall equal said five per cent.

Section 2. Snohomish Municipal Code Chapter section 14.290.170, of Chapter 14.290 entitled "School Impact Fees," is hereby amended to read as follows:

14.290.170 Revision of School District CFP

The Snohomish School District must review and update its CFP biennially in order for this ordinance to remain in effect. The CFP must be submitted in reasonable time for City review in advance of the expiration of the current CFP. The City will accept the updated CFP by adopting the Snohomish School District CFP as part of the City CFP in the City Comprehensive Plan and the biennial budget and/or related budget amendment(s).

Section 3. Snohomish Municipal Code sections 15.13.06 and 15.13.100, of Chapter 15.13 entitled "Stormwater Utility", are hereby amended to read as follows:

15.13.060 Stormwater Utility Operating Budget

The City Council shall adopt an operating budget for the stormwater utility as part of the biennial budget and/or budget amendment process. The operating budget shall set forth for such fiscal year, the estimated revenues and the estimated costs for operations and maintenance, extension and replacement and debt service.

15.13.100 Stormwater Fees and Rates by Resolution

The City Council shall adopt stormwater fees and rates by resolution. Said fees and rates shall be effective January 1, 2005 and may be combined in a resolution stating the fees and rates for water, sewer, and garbage. Stormwater fees and rates shall be reviewed during the budget and/or budget amendment process.

Section 4. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and/or the Code Reviser are authorized to make necessary corrections to this ordinance, including the corrections of scrivener or clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering and references.

Section 5. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or its application to any person or circumstance be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such a decision or preemption shall not affect the validity or constitutionality of the remaining portions of this ordinance or its application to any other persons or circumstances.

Section 6. Ratification. The City Council specifically ratifies and confirms the adoption of Ordinance 2349 and any and all acts consistent with said Ordinance 2349 occurring prior to the adoption of this ordinance.

Section 7. Effective Date. This ordinance shall be effective five days after adoption and publication by summary.

ADOPTED by the City Council and **APPROVED** by the Mayor this 5th day of June 2018.

CITY OF SNOHOMISH

By John T. Kartak
MAYOR JOHN T. KARTAK

ATTEST:

By Pat Adams
PAT ADAMS, CITY CLERK

APPROVED AS TO FORM:

By Grant K. Weed
GRANT K. WEED, CITY ATTORNEY