

Marysville City Council Meeting
7:00 p.m.

June 23, 2008

City Hall

Call to Order

Invocation

Pledge of Allegiance

Roll Call

Committee Reports

Presentations

- A. Swear-In Police Officer. *
- B. Employee Service Awards. *

Audience Participation

Approval of Minutes (*Written Comment Only Accepted from Audience.*)

- 2. Approval of June 9, 2008 City Council Meeting Minutes.
- 3. Approval of June 16, 2008 City Council Work Session Minutes. *

Consent

- 4. Approval of June 11, 2008 Claims in the Amount of \$1,055,468.15; Paid by Check No.'s 47978 through 48152 with Check No.'s 23110 and 46665 Voided.
- 5. Approval of June 18, 2008 Claims. *
- 6. Approval of June 20, 2008 Payroll. *
- 7. Authorize the Mayor to Sign the Supplemental Agreement No. 2 to the Professional Services Agreement with The Transpo Group for the Transportation Element and Impact Fee Update.
- 8. Authorize the Mayor to Sign the Interlocal Agreement with Snohomish County for Palm Scan Maintenance.
- 9. Authorize the Mayor to Sign the Eagle Bay – Final Plat Mylar.
- 10. Approval of the Hotel/Motel Tax Grant Program. *

Review Bids

Public Hearings

**These items have been added or revised from the materials previously distributed in the packets for the June 16, 2008 Work Session.*

New Business

11. An **Ordinance** of the City of Marysville, Washington Adopting by Reference the International Fire Code 2006 Edition and Adopting Amendments to Sections of the International Fire Code; and Providing for Severability.
12. An **Ordinance** of the City of Marysville, Washington Amending Ordinance 2708 and Amending or Correcting Marysville Municipal Code Chapters 16.04.040, 16.04.120 16.08,130, 16.12.050, 16.12.200 and 16.28.010; Adopting by Reference the International Building Code and International Residential Code and the International Building Code Standards 2006 Edition, Excluding the International Electrical, Plumbing, Property Maintenance and Energy Codes, Chapter 34 Existing Building and Adding a 34 Existing Buildings and adding a New Section Codified as Chapter 16.12 the National Electric Code; and Providing for Severability. *
13. An **Ordinance** of the City of Marysville, Washington Amending Ordinance 2202, Codified as Chapter 15.09 of the Marysville Municipal Code, Relating to Construction Plan Approvals.
14. An **Ordinance** of the City of Marysville, Washington Related to Cottage Housing, Adding a New Section 19.14.040 Cottage Housing Development; Adding a New Section 19.06.120 Cottage Housing; Amending Section 19.08.030 Table 1; and Adding a Footnote 23 to 19.08.030 (2). *
15. A **Resolution** requesting Snohomish County Officials Support Contracts, Commitments and Agreements with the Federal Aviation Administration, the Aerospace Industry and the State of Washington to Preserve Air Capacity and Air Operations at Paine Field, and Negotiate in Good Faith with Air Transportation Providers and Commercial Air Carriers.

Legal

Mayor's Business

Staff Business

Call on Councilmembers

Adjourn

**These items have been added or revised from the materials previously distributed in the packets for the June 16, 2008 Work Session.*

June 23, 2008

**Marysville City Council Meeting
7:00 p.m.**

City Hall

Executive Session

- A. Litigation
- B. Personnel
- C. Real Estate

Adjourn

Special Accommodations: The City of Marysville strives to provide accessible meetings for people with disabilities. Please contact Tracy Jeffries, Assistant Administrative Services Director, at (360) 363-8000 or 1-800-833-6384 (Voice Relay), 1-800-833-6388 (TDD Relay) two days prior to the meeting date if any special accommodations are needed for this meeting.

**These items have been added or revised from the materials previously distributed in the packets for the June 16, 2008 Work Session.*

Call to Order/Pledge of Allegiance/Roll Call	7:00 p.m.
Approve absence of Lee Phillips.	Approved
Approval of Minutes	
Approve May 27, 2008 City Council Meeting Minutes.	Approved
Approve June 2, 2008 City Council Work Session Minutes.	Approved
Presentations	
Employee Service Awards	Presented
Police Officers, Oath of Office	Completed
Consent Agenda	
Approve May 28, 2008 Claims in the Amount of \$321,483.76; Paid by Check No.'s 47658 through 47815 with no Check's Voided.	Approved
Approve June 4, 2008 Claims in the Amount of \$351,182.92; Paid by Check No's 47816 through 47977 with Check No's 16327, 39371 & 47587 Voided.	Approved
Approve June 5, 2008 Payroll in the Amount of \$1,159,830.80; Paid by Check No.'s 19675 through 19778.	Approved
Authorize the Mayor to Sign the Supplemental Agreement No. 1 with HDR Engineering for the I-5 City Center Access Study Extending the Time for Completion to December 31, 2008.	Approved
Authorize the Mayor to Sign the Purchase Order No. F 5371 in the Amount of \$76,314.50 to Purchase a New Dump Truck Cab and Chassis from Cascadia International, LLC.	Approved
Authorize the Mayor to Sign the Purchase Order No. F 5372 in the Amount of \$38,647.70 to Purchase and Install a Dump Body from Northend Truck Equipment, Inc.	Approved
Authorize the Mayor to Sign the Assignment of Waterline Easement Agreement by Marysville Land, LLC.	Approved
Authorize the Mayor to Sign the Interlocal Grant Agreement with the State of Washington, Office of the Secretary of State, Archives and Records Management Division Imaging Services.	Approved
Approve June 6, 2008 Payroll in the Amount of \$168,649.87; Paid by Check No's 19779 through 19894.	Approved
Review Bids	
Award Lake Goodwin Well and Disinfection Improvements Project to Stouder General Construction, LLC, in the Amount of \$246,295.00.	Approved
Public Hearings	
New Business	
Adopt an Ordinance of the City of Marysville, Washington, Amending the City's Comprehensive Plan by Adopting the Initial Subarea Plan for the Smokey Point Area and Amending the City's Development Regulations by Adopting Chapter 19.14A MMC.	Approved Ord. No. 2738
Legal	
Mayor's Business	
Staff Business	

Call on Councilmembers	
Adjournment	8:04 p.m.
Executive Session	8:10 p.m.
Litigation – one item	No action taken
Real Estate – one item	No action taken
Adjournment	8:45 p.m.

COUNCIL



MINUTES

Regular Meeting

June 9, 2008

Call to Order / Invocation / Pledge of Allegiance

Mayor Dennis Kendall called the June 9, 2008 meeting of the Marysville City Council to order at 7:00 p.m. at Marysville City Hall. The invocation was given by Pastor ET Tapper of Marysville First Assembly. Mayor Kendall led those present in the Pledge of Allegiance.

Roll Call

Chief Administrative Officer Mary Swenson gave the roll call. The following staff and councilmembers were in attendance.

Mayor: Dennis Kendall

Council: Councilmember Jon Nehring, Councilmember Carmen Rasmussen, Councilmember Jeff Seibert, Councilmember John Soriano, Councilmember Jeff Vaughan and Councilmember Donna Wright

Absent: Councilmember Lee Phillips

Also Present: Chief Administrative Officer Mary Swenson, Finance Director Sandy Langdon, Police Chief Rick Smith, Community Development Director Gloria Hirashima, Public Works Director Paul Roberts, Parks and Recreation Director Jim Ballew, City Clerk Tracy Jeffries, and Recording Secretary Laurie Hugdahl

CAO Swenson noted that Councilmember Lee Phillips was absent due to family matters.

Motion made by Councilmember Wright, seconded by Councilmember Soriano, to excuse his absence. **Motion** passed unanimously (6-0).

Committee Reports

Councilmember Soriano reported that one of the Healthy Communities subcommittees, Access to Healthy Foods, met last week. Notes will be coming soon.

Presentations

A. Swear-In Police Officers.

Mayor Kendall gave the oath of office to the following lateral police officers:

- Craig Dockstader
- Adam Vermuelen

B. Employee of the Month.

Mayor Kendall reviewed the accomplishments of Program Specialist Jillian VanDam and presented her with the Employee of the Month award for the month of May.

Audience Participation

None

Approval of Minutes

1. Approval of May 27, 2008 City Council Meeting Minutes.

Councilmember Seibert referred to page 3 of 8 and requested that the last sentence in the third paragraph be replaced with the following:

He noted that Jeff Massie was working on a grant for sidewalks on State Avenue. He recommended also seeking a grant for the 80th Street Sidewalk.

Councilmember Nehring indicated he would be abstaining since he was not at the May 27 meeting.

Motion made by Councilmember Seibert, seconded by Councilmember Rasmussen to approve the minutes as amended. **Motion** passed (5-0) with Councilmember Nehring abstaining.

2. Approval of June 2, 2008 City Council Work Session Minutes.

Motion made by Councilmember Wright, seconded by Councilmember Vaughan to approve the minutes as presented. **Motion** passed unanimously (6-0).

Consent Agenda

Motion made by Councilmember Soriano, seconded by Councilmember Vaughan, to approve the following consent agenda items:

3. Approval of May 28, 2008 Claims in the Amount of \$321,483.76; Paid by Check No.'s 47658 through 47815 with no Check's Voided.
4. Approval of June 4, 2008 Claims in the Amount of \$351,182.92; Paid by Check No's 47816 through 47977 with Check No's 16327, 39371 & 47587 Voided.
5. Approval of June 5, 2008 Payroll in the Amount of \$1,159,830.80; Paid by Check No.'s 19675 through 19778.
7. Authorize the Mayor to Sign the Supplemental Agreement No. 1 with HDR Engineering for the I-5 City Center Access Study Extending the Time for Completion to December 31, 2008.

8. Authorize the Mayor to Sign the Purchase Order No. F 5371 in the Amount of \$76,314.50 to Purchase a New Dump Truck Cab and Chassis from Cascadia International, LLC.
9. Authorize the Mayor to Sign the Purchase Order No. F 5372 in the Amount of \$38,647.70 to Purchase and Install a Dump Body from Northend Truck Equipment, Inc.
10. Authorize the Mayor to Sign the Assignment of Waterline Easement Agreement by Marysville Land, LLC.
12. Authorize the Mayor to Sign the Interlocal Grant Agreement with the State of Washington, Office of the Secretary of State, Archives and Records Management Division Imaging Services.
13. Approval of June 6, 2008 Payroll in the Amount of \$168,649.87; Paid by Check No's 19779 through 19894.

Motion passed unanimously (6-0).

Review Bids

6. Award Lake Goodwin Well and Disinfection Improvements Project to Stouder General Construction, LLC, in the Amount of \$246,295.00.

Motion made by Councilmember Nehring, seconded by Councilmember Rasmussen, to authorize the Mayor to award the bid for the Lake Goodwin Well and Disinfection Improvements project to Stouder General Construction, LLC, in the amount of \$246,295.00 including Washington State Sales Tax, and approve a management reserve of \$12,000 for a total allocation of \$258,295.00. **Motion** passed unanimously (6-0).

Public Hearings

None

New Business

11. An Ordinance of the City of Marysville, Washington, Amending the City's Comprehensive Plan by Adopting the Initial Subarea Plan for the Smokey Point Area and Amending the City's Development Regulations by Adopting Chapter 19.14A MMC.

Gloria Hirashima reviewed the Master Plan. She pointed out two changes that will be made to the Master Plan regarding provisions for reductions in:

1. Perimeter Landscape requirements
2. Right-of-Way Standards

Public Comment:

Angelia Wesch, Atty for Brutus /Arlington Assoc., Eisenhower and Carlson PLLC, 1201 Pacific Ave Ste 1200, Tacoma, WA 98402 spoke in support of the transportation alternatives included in the Master Plan, especially with regard to the arterials and directions of interior roads south of

156th Street. She and her clients have been extensively involved in the process. She thanked the City for allowing them to have input.

Greg Krabbe, 1726 Hasbrook Avenue, representing Winword -Marysville LLC, spoke in support of the Master Plan. He thanked the staff for working together with them in this process.

Councilmember Seibert asked about the fairness of the design guideline standards with regard to different-sized buildings. Gloria Hirashima reviewed the City's position on this. She noted that they are trying to get overall consistency with the design standards. She agreed that the bigger building will have a higher threshold than the smaller building, but stated that they felt it was a good guideline nonetheless.

Councilmember Seibert stated that he was appreciative of the work that the Planning Commission and the staff did to get this done. He complimented the collaboration that was done with the community.

Motion made by Councilmember Seibert, seconded by Councilmember Wright, to approve Ordinance 2738. **Motion** passed unanimously (6-0).

Mayor Kendall thanked Gloria Hirashima, Kevin Nielsen, the staff, and the landowners.

CAO Swenson also recognized Gloria Hirashima, Kevin Nielsen, and the landowners for their work on this project.

Legal

Mayor's Business

Mayor Kendall attended the Relay for Life last weekend. There was a great turnout and significant amount of money raised. He was sorry that he missed the movie in the park last weekend.

Staff Business

Rick Smith stated that the Police Awards Ceremony went well. He and his department appreciated the support that was shown to them.

Jim Ballew:

- Get Movin' was held last weekend. 444 kids signed up for the program.
- The outdoor cinema series started off really well.
- Strawberry Festival begins this weekend.
- He and the other presenters will be at Cedarcrest Middle School this week with the graffiti prevention message.

Kevin Nielsen:

- Poles will be at public works tomorrow.
- Construction on 528 will begin June 15.
- He thanked Council for their support on this Master Plan.

Chief Greg Corn - no comments.

Sandy Langdon - no comments.

Grant Weed stated there was a need for a short Executive Session to discuss one item of pending litigation and one matter concerning real estate acquisition. Not more than 15 minutes was needed and no action was expected.

Mary Swenson:

- She commended Gloria Hirashima and Kevin Nielsen for their expertise in these plans and negotiating with all the parties.
- Judge Fred Gillings became full time on June 1.
- She noted with pleasure that the two police officers sworn in tonight were lateral police officers.

Gloria Hirashima:

- An update of commercial projects in process will be coming to Council soon.
- An inventory of mobile home parks was recently completed. The Planning Commission will be reviewing this as well as the county council actions.

Call on Councilmembers

Jeff Vaughan:

- He enjoyed the Police Awards Ceremony. He complimented the officers and the Chief.
- He was very happy with the Master Plan and the process. He reflected on the tremendous progress that the City has made in the last several years.

Donna Wright:

- She thanked staff for the work on the Smokey Pt. Master Plan. She appreciated the way the Council was kept involved in the process.
- Popcorn in the Park was a lot of fun. She thanked Jim Ballew for making the event possible.

Jon Nehring said he was pleased with the completion of the Smokey Pt. Master Plan. He is excited to see what the future holds for this area.

Carmen Rasmussen:

- She enjoyed the movie night and the movie and the police awards. She congratulated Gloria Hirashima, Kevin Nielsen and their staff for their great work.
- She attended the Jones Creek Outdoor Learning Center dedication last week, which was a really nice event.
- She attended the Call to Action for Affordable Housing event and reviewed the plan that was discussed there.

John Soriano:

- He complimented Chief Smith for the awards banquet.
- He agreed that the Smokey Pt. Master Plan would open the door for growth in that area.
- He distributed 2008 Calendar of Events from Grandview Village.

Jeff Seibert:

- He thanked whoever painted over the graffiti.
- He noted that there is a manhole cover and ring under the outlet bakery on State Avenue.

- He commented that this Master Plan went relatively fast. He felt this reflected the cooperative working process.
- He enjoyed the Police Awards Ceremony.
- He asked for an update on the PUD pole. Gloria Hirashima said she would ask the PUD about this.
- He had a call from a citizen who was concerned about:
 1. Plastics purchased at stores that are not recyclable. He noted that Snohomish County is doing a Take-It-Back program.
 2. Allowing the food bank to participate in the food waste program. Kevin Nielsen indicated he would look into that.
 3. Trailer park redevelopment issue. There was some discussion about the status of mobile home park developments.
- He discussed an email he received from AWC about awards. He felt that the City would qualify for at least three of those. Staff indicated they would look into this.

Adjournment

Mayor Kendall recessed at 8:04 into Executive Session which was scheduled to begin at 8:10 and last for 15 minutes with no action being taken.

Executive Session

- A. Litigation – one item
- B. Personnel
- C. Real Estate – one item

Executive session commenced at 8:15. A motion was made and seconded to extend the executive session 15 minutes. No action was taken, Mayor Kendall adjourned the meeting at 8:45 p.m.

Approved this _____ day of _____, 2008.

Mayor
Dennis Kendall

Asst. Admin. Svcs. Director
Tracy Jeffries

COUNCIL



MINUTES

Work Session

June 16, 2008

Call to Order / Invocation / Pledge of Allegiance

Mayor Dennis Kendall called the June 16, 2008 work session of the Marysville City Council to order at 7:00 p.m. at Marysville City Hall. He then led those present in the Pledge of Allegiance.

Roll Call

Community Development Director Hirashima gave the roll call. The following staff and councilmembers were in attendance.

Mayor: Dennis Kendall

Council: Councilmember Jon Nehring, Councilmember Lee Phillips, Councilmember Carmen Rasmussen, Councilmember Jeff Seibert, Councilmember John Soriano, Councilmember Jeff Vaughan and Councilmember Donna Wright

Absent: None

Also Present: Community Development Director Gloria Hirashima, Public Works Director Kevin Nielsen, Parks and Recreation Director Jim Ballew, City Attorney Grant Weed, Senior Planner Cheryl Dungan, Interim Fire Marshal Dave VanBeek, Fire Chief Greg Corn, Commander Rob Lamoureux, City Clerk Tracy Jeffries, and Recording Secretary Laurie Hugdahl

Committee Reports

None.

Presentations

1. Snohomish County Tourism Bureau (SCTB) Annual Report.

Amy Spain provided the 2007 Annual Report regarding the Economic Impact of Tourism in Snohomish County. Highlights of the report included:

- Visitor spending in Snohomish County is \$823.4 million per year; up 5.9% from 2006
- SCTB generated 10,888 requests for information
- 224,450 visitors to SCTB's websites
- Visitors to SCTB visitor centers increased 30% over 2006
- 12,271 definite and tentative group and convention room nights were booked in 2007 representing \$14.5 million in economic impact - a 42% increase in economic impact
- Hotel motel tax collections were up 16%%
- The sports market contributed greatly to business booked in 2007 with nearly \$12 million in economic impact
- Through the efforts of the Snohomish County Sports Commission (SCSC), a proposed tourism promotion area is being considered by the lodging community as a funding source to increase sports marketing efforts
- Ads generated 10,888 total requests for information in 2007 plus 15,405 visits to RoomsAtPar.com/YourGreatEscape.com programs.
- 50,000 copies of an official visitor guide; 55,000 seasonal calendars of events; and 1,500 Glimpse of Snohomish County promotional pieces were produced
- 253 media kits and photo CD ROMs were distributed to writers and travel publications - an increase of 180% over 2006.
- 6 issues of StoryLine were mailed to over 1,400 travel writers with each issue.
- SCTB conducted 3 media sales blitzes in California and British Columbia
- Efforts resulted in \$288,179 in media coverage in 2007; an expected decrease from previous year due to the opening of the Future of Flight coverage in 2006
- Largest volunteer visitor information center (VIC) program in the state - 100 volunteers donated 10,163 hours to SCTB visitor centers, which represents an in-kind contribution of \$190,759. 146 area businesses donated \$37,500 worth of goods and services for SCTB and VIC programs
- Community relations - sponsored six tourism-related programs: Search Engine Optimization; Public Relations and Advertising; "State of State Tourism" address; 2010 Olympic and Paralympic Games; SCTB 101 - Working with the Tourism Bureau; Lodging Tax Workshop

Discussion Items

Approval of Minutes

2. Approval of June 9, 2008 City Council Meeting Minutes.
3. Approval of June 16, 2008 City Council Work Session Minutes.

Consent

4. Approval of June 11, 2008 Claims in the Amount of \$1,055,468.15; Paid by Check No.'s 47978 through 48152 with Check No.'s 23110 and 46665 Voided.
5. Approval of June 18, 2008 Claims.

6. Approval of June 20, 2008 Payroll.

Review Bids

Public Hearings

New Business

7. Supplemental Agreement No. 2 to the Professional Services Agreement with The Transpo Group for the Transportation Element and Impact Fee Update.

Public Works Director Kevin Nielsen explained this is a time extension for the Comprehensive Plan.

8. Interlocal Agreement with Snohomish County for Palm Scan Maintenance.

Commander Rob Lamoureux stated that this is a maintenance agreement for equipment they use every day in the booking process.

9. Eagle Bay – Final Plat Mylar.

Community Development Director Gloria Hirashima reviewed the plat history.

Councilmember Rasmussen expressed concern about item 9-6. She referred to a statement that the “environmental checklist is somewhat inaccurate . . .” Gloria Hirashima responded that it is not uncommon language and explained that it is staff’s responsibility to verify the accuracy of the checklist.

10. Hotel/Motel Tax Grant Program.

Mayor Kendall reviewed this item.

Councilmember Jon Nehring asked about funding. Councilmember Lee Phillips explained that everyone who applied received 100% funding this year. There are plans to publicize this program more now that they have more funding. There was some discussion about ways to get the word out.

11. An Ordinance of the City of Marysville, Washington Adopting by Reference the International Fire Code 2006 Edition and Adopting Amendments to Sections of the International Fire Code; and Providing for Severability.

Chief Corn introduced the item.

Councilmember Rasmussen commended the clarity of the documents.

Councilmember Jon Nehring referred to the amendment regarding sprinkler changes. He asked if this was fairly standard. Mr. VanBeek said this was in the middle range. Chief Corn added that Community Development has already adopted 8,000 square feet in the code.

There were no further comments or questions.

12. An Ordinance of the City of Marysville, Washington Amending Ordinance 2708 and Amending or Correcting Marysville Municipal Code Chapters 16.04.040, 16.04.120 16.08,130, 16.12.050, 16.12.200 and 16.28.010; Adopting by Reference the International Building Code and International Residential Code and the International Building Code Standards 2006 Edition, Excluding the International Electrical, Plumbing, Property Maintenance and Energy Codes, Chapter 34 Existing Building and Adding a 34 Existing Buildings and adding a New Section Codified as Chapter 16.12 the National Electric Code; and Providing for Severability.

Community Development Director Gloria Hirashima discussed the changes.

Councilmember Jeff Seibert referred to page 3. He asked about the reference to oil derricks. Community Development Director Gloria Hirashima indicated that this could probably be deleted. Councilmember Seibert was in support of that.

13. An Ordinance of the City of Marysville, Washington Amending Ordinance 2202, Codified as Chapter 15.09 of the Marysville Municipal Code, Relating to Construction Plan Approvals.

Community Development Director Gloria Hirashima stated that this is to put a cap on construction plan approval.

14. An Ordinance of the City of Marysville, Washington Related to Cottage Housing, Adding a New Section 19.14.040 Cottage Housing Development; Adding a New Section 19.06.120 Cottage Housing; Amending Section 19.08.030 Table 1; and Adding a Footnote 23 to 19.08.030 (2).

Mayor Kendall discussed the options available to the Council next week. Senior Planner Cheryl Dungan solicited questions.

Councilmember Jeff Seibert asked about limitations to the location of these. Cheryl Dungan explained that it would be limited to downtown Planning Area 1, residential properties with at least 30% critical areas on site, and transition areas. Councilmember Seibert commended the plan.

Legal

Mayor's Business

- He distributed a draft resolution regarding the Paine Field issue. He asked for feedback from Council before next week.
- He will be at the AWC Conference in Yakima from Tuesday through Friday.
- Strawberry Festival is this weekend.
- New fireworks laws fliers are now available for distribution.
- June 20 is the soft opening of three floors of the new hotel. The official grand opening will be in August.

Staff Business

Community Development Director Gloria Hirashima sent out a summary of building projects currently in progress. Staff is continuing work on the Smokey Pt. area. They have started meetings with property owners to discuss road improvement and are also working closely with PUD.

Kevin Nielsen:

- The food recycling is all set to happen for the food bank.
- He gave an update on roadway projects.
- He informed the Council that Jeff Massie will be leaving the city.
- Ramp closures/lane closures information has been distributed.
- 136th to 152nd is moving forward.

Jim Ballew:

- He discussed the article in *The Herald* about off-leash parks. He reassured the Council that the Parks Board has recommended looking at Strawberry Fields as an interim and temporary site only. The off-leash park would be located on the southeast corner. Staff will be providing a formal presentation relating to this at the next work session.
- He gave an update regarding Strawberry Festival.
- Paving is occurring at Jennings parking lot.
- The Parks Department will be hosting the Recreation Conservation Office (RCO) at the library this week.
- Windermere will be doing three volunteer projects in the city this summer.
- There was significant vandalism at City parks over the last week.

Robb Lamoureux:

- The police department is preparing for Strawberry Festival
- He and Jim Ballew did final two graffiti presentation at Cedarcrest Middle School. They went very well.

Greg Corn reported that last week Dave VanBeek and fire prevention staff members did final inspections of the new hotel.

Mayor Kendall commented that he saw that the roof is going on the new fire station today. Chief Corn said it looks like it will be ready in October.

Grant Weed:

- The bill that would require the taping of executive sessions has been promised to return this session. He is working with a group associated with the AWC to monitor this and explore alternatives.
- The Sunshine Committee is charged with examining all of the exemptions under the public records act. City Attorney Weed is also monitoring the results of this committee.
- He noted that no executive session was needed.

Call on Councilmembers

Carmen Rasmussen - no comments

Jeff Vaughan - no comments.

Donna Wright reported that Paul Rochon has turned in his resignation as a fire commissioner since he has moved out of the district and there will be a need to replace him.

Jeff Seibert:

- He thanked Kevin Nielsen for taking care of the food bank issue.
- He noticed someone picked up manhole cover
- He asked for an update on the pole on 529. Public Works Director Nielsen said it will be removed soon.
- He asked if there have been any fireworks infractions yet. Commander Lamoureux replied that there have not.
- He requested an update on paving on 80th Street. Kevin Nielsen discussed this.
- He asked about tickets for the parade on Saturday night. Lee Phillips indicated he would look into this.
- He thanked Dave VanBeek for the inspection of the new hotel.

Jon Nehring:

- He commended Doug Buell's work on the fireworks flier.
- He appreciated Jim Ballew's clarification on the dog park at Strawberry Fields. He suggested publicizing that the City is putting drainage system in there. He stated that the community needs to have more of an understanding of what is happening there before he would support a dog park.

Lee Phillips - no comments.

John Soriano - no comments.

Adjournment

Seeing no further business, Mayor Kendall adjourned the meeting at 8:03 p.m.

Approved this _____ day of _____, 2008.


Mayor
Dennis Kendall

Asst. Admin. Svcs. Director
Tracy Jeffries

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 23, 2008

AGENDA ITEM: Claims	AGENDA SECTION:	
PREPARED BY: Sandy Langdon, Finance Director	AGENDA NUMBER:	
ATTACHMENTS: Claims Listings	APPROVED BY: 	
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

Please see attached.

RECOMMENDED ACTION:

The Finance and Executive Departments recommend City Council approve the June 11, 2008 claims in the amount of \$1,055,468.15 paid by Check No.'s 47978 through 48152 with Check No.'s 23110 & 46665 voided.

COUNCIL ACTION:

BLANKET CERTIFICATION
CLAIMS
FOR
PERIOD-6

I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE **CLAIMS** IN THE AMOUNT OF **\$1,055,468.15 PAID BY CHECK NO.'S 47978 THROUGH 48152 WITH CHECK NUMBERS NO.'S 23110 & 46665 VOIDED** ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF MARYSVILLE, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND TO CERTIFY SAID CLAIMS.

Anders Hanson

AUDITING OFFICER

6/11/08

DATE

MAYOR

DATE

WE, THE UNDERSIGNED COUNCILMEMBERS OF MARYSVILLE, WASHINGTON DO HEREBY APPROVE FOR PAYMENT THE ABOVE MENTIONED **CLAIMS** ON THIS **11th DAY OF JUNE 2008.**

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 6/5/2008 TO 6/11/2008

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
47978	ACCURINT	INTEL/INVESTIGATIONS/SEARCHES	00103010.542000.	25.20
	ACCURINT		00103121.542000.	5.20
	ACCURINT		00103222.542000.	31.75
47979	ALBERTSONS FOOD CENTER #471	CUSTODY INMATE SUPPLIES	00103960.531000.	328.02
	ALBERTSONS FOOD CENTER #471	REFRESHMENTS VARIOUS MTG'S	30500030.563000.R0603	14.96
	ALBERTSONS FOOD CENTER #471		30500030.563000.R0604	15.08
	ALBERTSONS FOOD CENTER #471		40143410.549000.	54.48
47980	ALFYS PIZZA, MARYSVILLE	DOE RECOGNITION 07 WWTP	40143410.543010.	59.00
47981	ALL STAR MANAGEMENT	UB 455350000007 5203 140TH PL	401.122110.	135.10
47982	KATHY ALLEN	REFUND-CANCELLED RENTAL 6/21	001.239100.	53.00
	KATHY ALLEN		00110347.376014.	45.00
47983	ALLIED EMPLOYERS LABOR RELATIONS	6/08 MEMBERSHIP DUES	00100310.541000.	2,189.17
47984	ALVAREZ, JUVENAL & CAROLINA	UB 891260000002 4929 GROVE ST	401.122110.	39.31
47985	AMERICAN CLEANERS	APRIL 2008 DRY CLEANING	00103010.526000.	31.03
	AMERICAN CLEANERS		00103121.526000.	67.16
	AMERICAN CLEANERS		00103222.526000.	151.67
	AMERICAN CLEANERS		00103960.526000.	19.53
	AMERICAN CLEANERS		00104190.526000.	162.60
	AMERICAN CLEANERS		00104230.526000.	4.34
47986	AMERICAN PLANNING ASSOCIATION	ANNUAL MEMBERSHIP DUES-HOLLAN	00102020.549000.	270.00
47987	AWWA NW SUBSECTION	MEMBERSHIP DUES-LARSON	40143410.549000.	173.00
47988	ANDAL RHONDA JEAN	UB 980098000180 6815 40TH ST N	401.122130.	17.07
47989	ANISHCHENKO, YAKOV & LUBOV	UB 741362800003 5408 60TH PL N	401.122110.	70.50
47990	ARAMARK UNIFORM SERVICES	MAT CLEANING-WWTP	40142480.541000.	10.97
	ARAMARK UNIFORM SERVICES		40142480.541000.	10.97
	ARAMARK UNIFORM SERVICES		40142480.541000.	10.97
	ARAMARK UNIFORM SERVICES		40142480.541000.	10.97
	ARAMARK UNIFORM SERVICES	MAT CLEANING-MEZZANINE	40143780.549000.	15.63
	ARAMARK UNIFORM SERVICES		40143780.549000.	24.51
	ARAMARK UNIFORM SERVICES	UNIFORM CLEANING-BOB,MARK,STEV	50100065.526000.	58.25
47991	BAG BOY	UMBRELLAS	420.141100.	129.00
47992	ADAM BAILEY	REIMB FOR TRAINING VIDEO	40145040.553100.	29.06
47993	JAMES B BALLEW	REIMB FOR SPOTLIGHTS/VELCRO	00105090.531050.	51.95
47994	BANDWIDTH.COM INC	911 CALL SERVICES	50300090.542000.	23.97
	BANDWIDTH.COM INC	MONTHLY SERVICE CHARGE 06/08	50300090.542000.	92.64
47995	BICKFORD FORD-MERCURY	LIGHTING MODULE	50100065.534000.	361.58
47996	BIGFOOT MUSIC	ELEC COMPONENTS FOR EVENTS	00105120.531000.	165.96
47997	BILLS BLUEPRINT INC	5 FULL SIZE PLAN SETS	30500030.563000.R0301	868.00
47998	DON BLACKER	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
47999	BLUMENTHAL UNIFORMS & EQUIPMENT	MC SHANE-CREDIT	00103222.526000.	-182.51
	BLUMENTHAL UNIFORMS & EQUIPMENT	ALLEN-CREDIT	00103222.526000.	-4.80
	BLUMENTHAL UNIFORMS & EQUIPMENT	PANTS-ALLEN	00103222.526000.	96.96
	BLUMENTHAL UNIFORMS & EQUIPMENT	PANTS-FAST	00103222.526000.	96.96
	BLUMENTHAL UNIFORMS & EQUIPMENT	PANTS-SEWELL	00103222.526000.	106.77
	BLUMENTHAL UNIFORMS & EQUIPMENT	UNIFORMS-DOCKSTADER	00103222.526000.	180.29
	BLUMENTHAL UNIFORMS & EQUIPMENT	UNIFORMS-BENSON	00103222.526000.	382.52
48000	BLUST, GARRETT & ALISON	UB 790111650000 5308 64TH AVE	401.122110.	261.39
48001	BOB BARKER COMPANY INC	INMATE FLEXIBLE PENCILS	00103960.531000.	60.04
	BOB BARKER COMPANY INC	INMATE SUPPLIES	00103960.531000.	254.50
48002	THE BONJORNI COMPANY	SUMMARY APPRAISAL REPORT	40143410.541000.	4,200.00
48003	BRADBURY, MARCUS & LEIGHA	UB 651449145501 5817 105TH PL	401.122110.	138.11
48004	ERIN BRADSHAW	REFUND CLASS REG FEES	00110347.376009.	30.00
48005	MEAGHAN BROCK	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
48006	CDW GOVERNMENT INC	PRINTER	50300090.535000.	270.17
	CDW GOVERNMENT INC	REFUND CREDIT FOR INV JML1272	50300090.535000.	315.50
	CDW GOVERNMENT INC	SYMANTIC LICENSE & AGREEMENT	50300090.535000.	450.72
48007	CELLNETIX PATHOLOGY	INMATE MEDICAL SERVICES	00103960.541000.	31.85

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 6/5/2008 TO 6/11/2008

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
48008	CENTRAL WELDING SUPPLIES	CREDIT MEMO-CYLINDERS	00105380.531000.	-900.00
	CENTRAL WELDING SUPPLIES	WELDING RODS	00105380.531000.	13.59
	CENTRAL WELDING SUPPLIES	DEBIT MEMO FOR CHECK#194975	00105380.531000.	900.00
	CENTRAL WELDING SUPPLIES	OUTLET BUSHING AND ADAPTOR	10110564.548000.	12.05
	CENTRAL WELDING SUPPLIES	ADAPTORS/BACKORDERED	10110564.548000.	16.49
	CENTRAL WELDING SUPPLIES	QUICK DISCONNECTS	10110564.548000.	234.47
	CENTRAL WELDING SUPPLIES	COMPRESSED OXYGEN	40140480.531000.	12.80
	CENTRAL WELDING SUPPLIES		41046060.531000.	12.81
	CENTRAL WELDING SUPPLIES	COMPRESSED GAS REFILL	42047165.548000.	68.65
48009	CH2M HILL INC.	PAY ESTIMATE # 8	40142480.548000.M0741	1,625.21
48010	KARI CHENNAULT	REIMB PARKING FEES	40145040.543000.	15.00
48011	CMS COMMUNICATIONS, INC.	5220 MITEL PHONES	503.231700.	-67.58
	CMS COMMUNICATIONS, INC.		50300090.542000.	862.58
48012	CNR, INC	MAINTENANCE CONTRACT 06/08	50300090.541000.	1,354.55
48013	CODE 4 PUBLIC SAFETY EDUCATION ASSOC	BULLETPROOF MIND TRAINING-WOOI	00103121.549100.	94.00
48014	COOK PAGING (WA)	PAGER SERVICES-PARKS	00105380.542000.	8.92
	COOK PAGING (WA)	PAGER SERVICES-STREETS	10111230.542000.	3.73
	COOK PAGING (WA)		40143410.542000.	3.73
48015	CO-OP SUPPLY	CREDIT FOR BLADES RETURNED	00105380.531000.	-11.76
	CO-OP SUPPLY	HAND TOOLS	00105380.535000.	58.79
48016	CORPORATE OFFICE SUPPLY	SANITIZING WIPES	501.141100.	58.54
48017	COUNTRY ROAD CHARTERS	R/T BUS TO MARINER GAME 5/27	00105120.531050.	400.00
	COUNTRY ROAD CHARTERS	R/T BUS TO MARINER GAME 6/2	00105120.531050.	400.00
48018	COVAD COMMUNICATIONS	INTERNET SERVICES5/28-6/27/08	50300090.541000.	239.95
48019	VONNIE CRAWFORD	INSTRUCTOR SERVICES	00105250.541020.	285.00
48020	NATL CRIME PREVENTION COUNCIL	NATIONAL NIGHT OUT BRACELETS	001.231700.	-34.58
	NATL CRIME PREVENTION COUNCIL		00103630.531000.	441.33
48021	CRYSTAL SPRINGS	4 CASES OF WATER	40142480.531330.	70.19
48022	DATABASE SECURE RECORDS DESTRUCTIO	MONTHLY SHREDDER SERVICES	00100020.531000.	2.55
	DATABASE SECURE RECORDS DESTRUCTIO		00101023.541000.	8.50
	DATABASE SECURE RECORDS DESTRUCTIO		00102020.531000.	2.55
	DATABASE SECURE RECORDS DESTRUCTIO		00103010.548000.	80.25
	DATABASE SECURE RECORDS DESTRUCTIO		00105380.531000.	8.50
	DATABASE SECURE RECORDS DESTRUCTIO		40143410.531000.	2.55
	DATABASE SECURE RECORDS DESTRUCTIO		50100065.531000.	0.42
	DATABASE SECURE RECORDS DESTRUCTIO		50200050.531000.	0.43
48023	DELTA PROPERTY MANAGEMENT	UB 250300000000 10811 52ND DR	401.122110.	66.60
48024	DICKS TOWING INC	TOWING CHARGE-CR VIC	00103222.541000.	43.44
	DICKS TOWING INC	TOWING CHARGE-SUZUKI	00103222.541000.	43.44
48025	DISHMAN, CHRIS	UB 420761610003 4018 166TH ST	401.122110.	58.13
48026	JACOB DODDS	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
48027	DUNLAP INDUSTRIAL	BOOTS-LOGAN	10111230.526000.	139.01
48028	E&E LUMBER INC	FASTENERS & SCREWS	00105380.531000.	4.44
	E&E LUMBER INC	BRUSHES-GRAFFITI	00105380.531000.	5.57
	E&E LUMBER INC	ROLLER COVER, PAINT TRAY	00105380.531000.	9.20
	E&E LUMBER INC	TARP STRAPS AND SHIMS	00105380.531000.	33.92
	E&E LUMBER INC	9 X 12' REAVES CANVAS	00105380.531000.	38.17
	E&E LUMBER INC	SAFETY SNAPS FOR HANGING BASKT	00105380.531000.	49.70
	E&E LUMBER INC	WHITEWOOD LUMBER	00105380.531000.	81.03
	E&E LUMBER INC	TARP	40143780.531000.	19.52
	E&E LUMBER INC	SUPPLIES FOR NEW OFFICE	40143780.531000.	58.50
	E&E LUMBER INC	NAIL CLAW 11"	50200050.535000.	21.68
48029	EAGLE FENCE CONSTRUCTION INC	REPAIR 150' OF FENCE@804 MCRAE	40140280.548000.	2,133.94
48030	EDGE ANALYTICAL INC	LAB SAMPLES	40140780.541000.	12.00
	EDGE ANALYTICAL INC		40140780.541000.	12.00
	EDGE ANALYTICAL INC		40140780.541000.	12.00
	EDGE ANALYTICAL INC		40140780.541000.	12.00

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 6/5/2008 TO 6/11/2008

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
48030	EDGE ANALYTICAL INC	LAB SAMPLES	40140780.541000.	12.00
	EDGE ANALYTICAL INC		40140780.541000.	12.00
	EDGE ANALYTICAL INC		40140780.541000.	12.00
	EDGE ANALYTICAL INC		40140780.541000.	12.00
	EDGE ANALYTICAL INC		40140780.541000.	12.00
	EDGE ANALYTICAL INC		40140780.541000.	12.00
	EDGE ANALYTICAL INC		40140780.541000.	12.00
	EDGE ANALYTICAL INC		40140780.541000.	12.00
	EDGE ANALYTICAL INC		40140780.541000.	12.00
	EDGE ANALYTICAL INC		40140780.541000.	12.00
	EDGE ANALYTICAL INC		40140780.541000.	24.00
	EDGE ANALYTICAL INC		40140780.541000.	24.00
	EDGE ANALYTICAL INC		40140780.541000.	24.00
	EDGE ANALYTICAL INC		40140780.541000.	36.00
	EDGE ANALYTICAL INC		40140780.541000.	48.00
	EDGE ANALYTICAL INC		40140780.541000.	180.00
	EDGE ANALYTICAL INC		40140780.541000.	180.00
	EDGE ANALYTICAL INC		40140780.541000.	180.00
	EDGE ANALYTICAL INC		40140780.541000.	3,536.00
48031	EVERETT STAMP WORKS	NOTARY STAMP-SAWYER	00104190.531000.	46.64
48032	EVERGREEN SAFETY COUNCIL	EVERGREEN SAFETY COUNCIL 1 YR	00100310.531200.	245.00
	EVERGREEN SAFETY COUNCIL	FLAGGER CERTIFICATION ON 5/13	00100310.531200.	835.40
48033	EXIDE	BATTERY/GROUP 65 W/CORE CHR	501.141100.	61.56
48034	FAZEKAS, PAUL	UB 761644290001 6522 75TH DR N	401.122110.	145.61
48035	FERRELLGAS	PROPANE 57.8 GALLONS	10110130.531000.	39.22
	FERRELLGAS		10110564.531000.	39.22
	FERRELLGAS		40140980.531000.	39.22
	FERRELLGAS		41046060.531000.	39.22
48036	FRED MEYER	SAFETY BOOTS-GOOD	40143410.526200.	54.24
48037	FRED PRYOR SEMINARS	SEMINAR 5/8/08-GEMMER	00102020.549000.	99.00
48038	CRAIG A. FULLERTON	SITE CONSULTING	00100110.541000.	2,337.50
	CRAIG A. FULLERTON	SITE ACQUITION	00100110.541000.	3,412.50
	CRAIG A. FULLERTON	BAYVIEW/WHISKEY RIDGE CONSULT	00105380.541000.	1,320.00
48039	STEVE FURNAS	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
48040	GENERAL CHEMICAL CORP	ALUM SULFATE 11.487 DRY TON	40142480.531320.	3,402.51
	GENERAL CHEMICAL CORP	ALUM SULFATE 11.696 DRY TON	40142480.531320.	3,464.42
	GENERAL CHEMICAL CORP	ALUM SULFATE 11.727 DRY TON	40142480.531320.	3,473.59
	GENERAL CHEMICAL CORP	ALUM SULFATE 11.766 DRY TON	40142480.531320.	3,485.15
48041	GOLD MEDAL CONST CORP FL	GALLON OF TOP COAT PAINT	00100010.531000.	325.00
48042	GOLDSTREET DESIGN AGENCY INC	DESIGN/PRINT/MAIL 08 WTR QUALI	40140780.541000.	3,250.00
48043	GRAINGER INC	EDGE-GRIP RUBBER SEAL	40142480.548000.	65.37
48044	GRANDVIEW INC	UB 691210900000 12109 35TH AVE	401.122130.	56.42
48045	GRAYBAR ELECTRIC CO INC	ELECTRICAL SUPPLIES	00105380.531000.	74.71
48046	GREG RAIDON'S DODGE CHRYSLER JEEP	SERVICE MANUALS	50100065.534000.	488.25
48047	KRISTIE GUY	REIMB FOR MEALS/LODGING/TRAVEL	00100310.549000.	365.01
48048	H & H STEEL ERECTORS LLC	REPAIR ROOF FLASHING @ PSB	00100010.548000.	2,495.50
48049	GARY HARPER CONSTRUCTION, INC.	PAY EST # 2 LESS RETAINAGE	402.223400.	-3,662.14
	GARY HARPER CONSTRUCTION, INC.		40220594.563000.W0505	79,468.45
48050	HARRINGTON INDUSTRIAL PLASTICS LLC	POLYPROPYLENE SHEET	40141580.548000.	670.23
48051	HARWOOD, TRENT	UB 840026000000 6915 73RD DR N	401.122110.	103.00
48052	HASLER, INC	MAIL MACHINE/PROPERTY TAX 2007	00103010.545000.	116.16
48053	HD FOWLER COMPANY	LID FOR 940 VALVE BOX SEWER	401.141400.	88.21
	HD FOWLER COMPANY	LID SHALLOW MARKED WATER	401.141400.	105.85
	HD FOWLER COMPANY	PVC PARTS FOR AMR	40141280.541000.	138.88
	HD FOWLER COMPANY	MISC SEWER PARTS	40142180.531000.	244.08
48054	NEIL HIGBEE	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
48055	JODENE HOFMANN		001.239100.	58.00
48056	HORIZON	BALL VALVE	42047165.548000.	20.25

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 6/5/2008 TO 6/11/2008

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
48057	IDEARC MEDIA CORP.	YELLOW PAGE ADS	42047267.544000.	187.90
48058	INDUSTRIAL SUPPLY INC	STAINLESS STEEL HOSE CLAMPS	40142480.548000.	39.31
48059	INFILCO DEGREMONT, INC.	BALLASTS	40142480.548000.	5,549.54
48060	SNO CO DEPT OF INFORMATION SVCS	PC TRAINING-MCCANN	40143410.549020.	30.00
	SNO CO DEPT OF INFORMATION SVCS		41046060.549000.	20.00
48061	DEPT OF INFORMATION SERVICES	TELECOMMUNICATION SERVICES	00104190.551000.	723.71
48062	INTERSTATE AUTO PARTS WAREHOUSE	MISC TERMINALS	50100065.535000.	49.42
	INTERSTATE AUTO PARTS WAREHOUSE	TERM RLS TOOL 12PC & RATCHETS	50100065.535000.	162.53
48063	JAMES, DAVID	UB 530670000000 3725 178TH PL	401.122110.	179.70
48064	SARA JEFFERS-ATCHLEY	REFUND CLASS FEES	00110347.376009.	30.00
48065	JET PLUMBING	REPAIR AT JAIL, CELL # 7	00100010.548000.	103.08
48066	ERIN JOLLY-WHITEMARSH	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
48067	METROPOLITAN GRAPHICS	NW GOLF SECTION FULL COLOR AD	42047267.544000.	795.21
48068	SYLVIA JUAREZ	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
48069	KAR GOR INC	TRAFICON VIEWCOM E W/PATCH CBL	101.231700.	-212.50
	KAR GOR INC		10111864.531000.	2,712.50
48070	IRENE KING	REFUND CLASS FEES	00110347.376009.	30.00
48071	HEATHER KINNEY	JURY DUTY	00102515.549000.	10.81
48072	KONG, KENA	UB 761303167900 8320 74TH DR N	401.122110.	121.24
48073	KUSTOM SIGNALS INC	PRO LASER III	00103222.531000.	3,067.01
48074	LAKE STEVENS SCHOOL DISTRICT #4	MITIGATION FEES TO LSD 05/08	642.237000.	19,842.00
48075	LASTING IMPRESSIONS INC	GIRLS FAST PITCH SHIRTS	00105120.531010.0815	1,293.02
48076	LAWN EQUIPMENT SUPPLY	AIR FILTER	42047165.548000.	16.99
48077	JEFF LAYCOCK	REIMB FOR LODGING EXPENSE	00100020.549000.	141.70
48078	LES SCHWAB TIRE CENTER	TURF GLIDE TUBE TYPE TIRE	42047165.548000.	53.03
48079	DEPT OF LICENSING	HANSEN, MARCUS(ORIGINAL)	001.237020.	18.00
	DEPT OF LICENSING	HANSEN, VALERIE(ORIGINAL)	001.237020.	18.00
	DEPT OF LICENSING	JORDAN, JIMMIE(RENEWAL)	001.237020.	18.00
	DEPT OF LICENSING	MARCIAL, JOSE(ORIGINAL)	001.237020.	18.00
	DEPT OF LICENSING	MC CARTHY, BENJAMIN(ORIGINAL)	001.237020.	18.00
	DEPT OF LICENSING	MERIWETHER, DARRELL(ORIGINAL)	001.237020.	18.00
	DEPT OF LICENSING	JUNGCK, DAVID(LATE RENEWAL)	001.237020.	21.00
48080	LOWES HIW INC	BRASS PARTS	40141580.548000.	57.46
48081	MARSHALL SIGN INC	METAL SIGNS "PARK HOURS" X 12	00105380.531000.	430.06
48082	MARYSVILLE AWARDS	ENGRAVING FOR EOM 04/08	00100110.549000.	11.28
48083	MARYSVILLE FIRE DISTRICT	TB TESTING MAY 2008	00103222.541000.	190.00
48084	MARYSVILLE FIRE DIST #12	FIRE CONTROL/EMERGENCY AID SRV	00109522.551000.	398,155.46
	MARYSVILLE FIRE DIST #12		00109526.551000.	142,516.78
48085	MARYSVILLE FIRE DIST #12	MEDICAL CARE FOR INMATE(NASH)	00103960.541000.	455.00
48086	MARYSVILLE NOON ROTARY CLUB	ROTARY LUNCHES-SWENSON	00100110.549000.	300.00
48087	MARYSVILLE PRINTING	MAILING LABELS W/RETURN FOR CD	00102020.531000.	156.24
	MARYSVILLE PRINTING	#10 LEGAL ENVELOPES W/LOGO	00105380.531000.	59.72
	MARYSVILLE PRINTING	41 BOOKS BINDING SPECS & PLANS	30500030.563000.R0301	2,814.57
48088	MARYSVILLE SCHOOL DISTRICT #25	MITIGATION FEES TO MSD 05/08	642.237000.	59,040.00
48089	MARYSVILLE YOUTH SOCCER ASSOC.	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
48090	KRISTENA MCFADDEN		001.239100.	58.00
48091	MCKAY, TOM	UB 922015000002 1115 9TH ST	401.122110.	225.35
48092	TONYA MIRANDA	REIMB-APWA LEADERSHIP CLASS	00100020.549000.	105.60
	TONYA MIRANDA		40143410.549020.	268.80
	TONYA MIRANDA		40145040.549000.	52.80
	TONYA MIRANDA		41046060.549000.	52.80
48093	MORLEY, DAVID	UB 760960215202 5900 68TH DR N	401.122110.	117.00
48094	MORRISON, JESS	UB 454270000000 14116 54TH DR	401.122110.	24.17
48095	HOWARD NASH	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
48096	NELSON PETROLEUM	GEAR COMPOUND & DURA LITH GRS	40142480.548000.	241.72
48097	NEXTEL COMMUNICATIONS	ACCT #495802314	50300090.542000.	17.62
	NEXTEL COMMUNICATIONS		50300090.542000.	17.62

**CITY OF MARYSVILLE
 INVOICE LIST
 FOR INVOICES FROM 6/5/2008 TO 6/11/2008**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
48097	NEXTEL COMMUNICATIONS	ACCT #495802314	50300090.542000.	17.62
	NEXTEL COMMUNICATIONS		50300090.542000.	22.09
	NEXTEL COMMUNICATIONS		50300090.542000.	35.24
	NEXTEL COMMUNICATIONS		50300090.542000.	35.24
	NEXTEL COMMUNICATIONS		50300090.542000.	35.24
	NEXTEL COMMUNICATIONS		50300090.542000.	52.86
	NEXTEL COMMUNICATIONS		50300090.542000.	52.86
	NEXTEL COMMUNICATIONS		50300090.542000.	52.86
	NEXTEL COMMUNICATIONS		50300090.542000.	71.86
	NEXTEL COMMUNICATIONS		50300090.542000.	80.31
	NEXTEL COMMUNICATIONS		50300090.542000.	84.31
	NEXTEL COMMUNICATIONS		50300090.542000.	88.10
	NEXTEL COMMUNICATIONS		50300090.542000.	102.95
	NEXTEL COMMUNICATIONS		50300090.542000.	108.45
	NEXTEL COMMUNICATIONS		50300090.542000.	112.75
	NEXTEL COMMUNICATIONS		50300090.542000.	123.34
	NEXTEL COMMUNICATIONS		50300090.542000.	145.64
	NEXTEL COMMUNICATIONS		50300090.542000.	193.54
	NEXTEL COMMUNICATIONS		50300090.542000.	194.86
	NEXTEL COMMUNICATIONS		50300090.542000.	250.17
	NEXTEL COMMUNICATIONS		50300090.542000.	253.59
	NEXTEL COMMUNICATIONS		50300090.542000.	268.76
	NEXTEL COMMUNICATIONS		50300090.542000.	500.01
	NEXTEL COMMUNICATIONS		50300090.542000.	1,308.72
48098	KRISTIN NIELSEN	REFUND DEPOSIT FOR RENTAL	001.239100.	58.00
48099	NORTHWEST CASCADE INC	HONEY BUCKET @ SK8PRK	00105380.545000.	103.33
48100	WORTH NORTON	REIMB FOR VIDEO SPLITTER&CABLE	00100020.531000.	109.63
	WORTH NORTON		10111230.531000.	109.63
	WORTH NORTON		40143410.531000.	274.07
	WORTH NORTON		40145040.531000.	27.40
	WORTH NORTON		41046060.531000.	27.40
48101	OFFICE DEPOT	CREDIT OFFICE SUPPLIES	00100110.531000.	-28.49
	OFFICE DEPOT	OFFICE SUPPLIES	00100720.531000.	207.71
	OFFICE DEPOT		00102020.531000.	75.24
	OFFICE DEPOT	CREDIT FOR OFFICE SUPPLIES	00103222.531000.	-9.42
	OFFICE DEPOT	OFFICE SUPPLIES	00103222.531000.	20.00
	OFFICE DEPOT		00103222.531000.	27.96
	OFFICE DEPOT		00103222.531000.	178.00
	OFFICE DEPOT		00104190.531000.	11.72
	OFFICE DEPOT		00104190.531000.	48.66
	OFFICE DEPOT		00105380.531000.	68.76
	OFFICE DEPOT		40142480.531000.	73.63
	OFFICE DEPOT	CHAIR	50300090.531000.	137.88
	OFFICE DEPOT	OFFICE SUPPLIES	50300090.531000.	208.22
48102	ORKIN EXTERMINATING	SERVICE @ PSB	00100010.548000.	45.60
	ORKIN EXTERMINATING	SERVICE @ CITY HALL	00103530.548000.	82.87
	ORKIN EXTERMINATING	SERVICE @ CABOOSE	00105380.548000.	57.79
	ORKIN EXTERMINATING	SERVICE @ LIBRARY	00112572.548000.	45.60
	ORKIN EXTERMINATING	SERVICE @ WWTP	40142480.549000.	61.52
	ORKIN EXTERMINATING	SERVICE @ PW BLDG	40143410.548000.	50.16
48103	PACIFIC POWER BATTERIES	MOTORCYCLE CHARGER	00103222.531000.	26.58
	PACIFIC POWER BATTERIES	AA BATTERIES AND UTILITY FLASH	501.141100.	57.78
48104	PACIFIC POWER PRODUCTS	BLADES FOR PARK MAINT JD MOWER	00105380.548000.	211.48
48105	PACIFIC SIGNAL SUPPLY INC	AUDIBLE PED UNITS FOR STATE AV	10111864.531000.	1,913.89
48106	PACIFIC TOPSOILS INC	SOIL/SOD DUMP FEE-BOY SCOUT	00105380.545010.	80.00
48107	PART WORKS INC, THE	WILKINS REPAIR PARTS	40140880.531000.	128.67
48108	THE PARTS STORE	MISC HAND TOOLS FOR STILLY	40140480.535000.	106.80

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 6/5/2008 TO 6/11/2008

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
48108	THE PARTS STORE	GLASS CLEANER	501.141100.	44.27
	THE PARTS STORE	OIL/TRANS FILTERS, PLASTIC TIE	501.141100.	146.36
48109	PELZER GOLF SUPPLIES	VISOR CLIP BALL MARK	420.141100.	796.07
48110	PERFECT IMAGE INC	MAP SCANNING	40143410.541000.	649.80
48111	PETROCARD SYSTEMS INC	FUEL CONSUMED-IS DEPT	50300090.532000.	58.64
48112	PETTY CASH FUND-POLICE	FRAMES, CABLE, RANGE FEE	00103010.531000.	81.21
	PETTY CASH FUND-POLICE		00103121.531000.	21.69
	PETTY CASH FUND-POLICE		00103222.531000.	16.14
48113	PETTY CASH- PW	COVER,MAPS,REG FEES,PARTS	00105380.548000.	15.75
	PETTY CASH- PW		10111230.549000.	13.02
	PETTY CASH- PW		40140180.541000.	9.48
	PETTY CASH- PW		40141580.531000.	5.33
	PETTY CASH- PW		40141580.548000.	1.37
	PETTY CASH- PW		50100065.531000.	6.07
48114	PETTY CASH-COMM DEV	KEY MADE, SALAD LUNCHES	00102020.531000.	1.94
	PETTY CASH-COMM DEV		00102020.549000.	17.88
48115	PICK OF THE LITTER DESIGN, INC.	GRAPHIC DESIGN WORK FOR CINEMA	00105090.535000.0867	779.03
48116	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #283-001-380-7	10110463.547000.	108.20
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #600-001-260-6	10110463.547000.	1,406.98
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #690-001-250-8	10110463.547000.	1,445.73
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #660-001-330-1	10110463.547000.	1,880.74
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #670-001-300-3	10110463.547000.	10,194.20
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #210-094-460-8	40140080.547000.	759.22
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #327-001-612-8	40140180.547000.	27.60
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #529-001-665-7	40140180.547000.	27.60
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #557-001-090-9	40140180.547000.	149.70
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #314-001-224-0	40140180.547000.	976.26
	PUD NO 1 OF SNOHOMISH COUNTY	ACCT #504-002-581-8	40142280.547000.	77.98
	PUD NO 1 OF SNOHOMISH COUNTY		40142480.548000.M0744	0.00
48117	PUGET SOUND ENERGY	ACCT #753-901-800-7	00100010.547000.	481.69
	PUGET SOUND ENERGY	ACCT #835-819-211-3	00101250.547000.	174.72
	PUGET SOUND ENERGY	ACCT #549-775-008-2 CITY HALL	00103530.547000.	166.73
	PUGET SOUND ENERGY	ACCT #616-190-400-5	00105250.547000.	62.04
	PUGET SOUND ENERGY	ACCT #922-456-500-3	40143780.547000.	41.35
	PUGET SOUND ENERGY	ACCT #435-851-700-3	40143780.547000.	295.68
	PUGET SOUND ENERGY	ACCT #433-744-264-6	42047267.547000.	37.90
48118	DARIN RASMUSSEN	DINNER/WSHNA CONF PRESENTATION	00103010.549100.	25.25
48119	NOLA RAY-HUTTON	REFUND CLASS REG FEES	00110347.376009.	30.00
48120	RENO USA INC.	TV & MONITOR SETUP-NIELSON	00100020.531000.	83.20
	RENO USA INC.		10111230.531000.	83.20
	RENO USA INC.		40143410.531000.	207.98
	RENO USA INC.		40145040.531000.	20.80
	RENO USA INC.		41046060.531000.	20.80
48121	RENTAL MANAGEMENT CO	UB 980302600000 3026 72ND AVE	401.122120.	50.76
48122	RENTAL MANAGEMENT COMPANY	UB 775723000000 5723 80TH AVE	401.122110.	60.17
48123	CITY OF RICHLAND/POLICE DEPARTMENT	TRAINING-BUELL, LARRY	00103222.549100.	150.00
	CITY OF RICHLAND/POLICE DEPARTMENT	TRAINING-SPARR, RICK	00103222.549100.	150.00
48124	SASE COMPANY INC	GRINDER PARTS	10110564.531000.	1,209.72
48125	BRANDY SAWYER	REIMB FOR TRAINING MEALS/MILE	00104190.549100.	41.32
48126	SCHICK, DIETER	UB 520000020006 17926 43RD AVE	401.122110.	58.07
48127	LYNN SCHROEDER	REIMB COFFEE/WATER PURCHASE	00100110.549000.	40.51
48128	SEVERNS, JAIME	UB 890282000000 5108 80TH ST N	401.122110.	31.92
48129	SIMPLOT PARTNERS	FUNGICIDE	42047165.531930.	803.33
48130	EVE SNIDER	INSTRUCTOR SERVICES	00105120.541020.	703.13
48131	SNOHOMISH COUNTY CORRECTIONS	INMATE HOUSING FOR APRIL 2008	00103960.541000.	53,621.47
48132	SNOHOMISH COUNTY TREASURER	CRIME VICTIM/WITNESS FUNDS	00102570.551000.	1,044.48
48133	SNOPAC	DISPATCH SERVICES FOR MAY 08	00104000.551000.	59,086.01

**CITY OF MARYSVILLE
 INVOICE LIST
 FOR INVOICES FROM 6/5/2008 TO 6/11/2008**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
48134	SONITROL	MONITORING SERVICES JUNE 08	00100010.541000.	85.00
	SONITROL		00100010.541000.	98.00
	SONITROL		00103530.541000.	115.00
	SONITROL		00103530.541000.	165.00
	SONITROL		00105250.541000.	120.00
	SONITROL		00105380.541000.	111.00
	SONITROL		40142480.541000.	98.00
	SONITROL		40142480.541000.	109.00
	SONITROL		40142480.541000.	109.00
	SONITROL		40143410.541000.	165.00
	SONITROL		40143410.541000.	191.00
48135	SOUND SAFETY PRODUCTS CO INC	JEANS-KEEFE	10111230.526000.	33.39
48136	SPECIALTY CONTROLS	AUMA ACTUATOR	40140280.548000.	5,169.36
48137	SPRINGBROOK NURSERY	2 YDS TOPSOIL	001.231700.	-2.47
	SPRINGBROOK NURSERY		00105380.531000.	31.47
	SPRINGBROOK NURSERY	4 YDS TOPSOIL	00105380.531000.	62.40
48138	STAMEY, DEAN	UB 690037260000 3618 92ND PL N	401.122110.	20.26
48139	SYSTEMS INTERFACE INC	WORK @ QUIL CEDA LIFT STATION	40142280.541000.	816.75
48140	TEXTRON FINANCIAL CORPORATION	LEASE 15 E-Z-GO TXT GAS CARTS	42047165.545000.	1,616.00
48141	THYSSENKRUPP ELEVATOR CORP	PREVENTATIVE MAINT- PSB	00100010.548000.	162.75
	THYSSENKRUPP ELEVATOR CORP	PREVENTATIVE MAINT- CITY HALL	00103530.548000.	162.75
48142	DEPT OF TRANSPORTATION NW REGION	PROJECT COSTS FOR APRIL 2008	40220594.563000.W0802	3,065.40
48143	UNITED PARCEL SERVICE	SHIPPING EXPENSE	00103222.542000.	50.60
	UNITED PARCEL SERVICE		00103960.542000.	22.98
48144	VAN DAM'S ABBEY CARPETS	CARPET & BASE BOARD-NIELSON	40143780.548000.	1,235.75
48145	VERIZON NORTHWEST	ACCT #109367558610	10110564.547000.	48.98
	VERIZON NORTHWEST	ACCT #107567892708	10110564.547000.	51.60
48146	VINYL SIGNS & BANNERS	SIGNAGE FOR PRKS&REC MOVIES	00105090.531050.	105.79
	VINYL SIGNS & BANNERS	6 X 9 CUSTOM DECAL FOR TRAILER	00105380.531000.	32.55
48147	W.A. BOTTING COMPANY	HVAC PREVENTATIVE MAINT-MAY 08	00100010.548000.	115.28
	W.A. BOTTING COMPANY		00100010.548000.	881.56
	W.A. BOTTING COMPANY		00101250.548000.	395.75
	W.A. BOTTING COMPANY	REPAIR CITY HALL HEATING/COOL	00103530.548000.	260.40
	W.A. BOTTING COMPANY	HVAC PREVENTATIVE MAINT-MAY 08	00103530.548000.	480.38
	W.A. BOTTING COMPANY		00105250.548000.	162.75
	W.A. BOTTING COMPANY		00105380.548000.	130.20
	W.A. BOTTING COMPANY		00105380.548000.	130.20
	W.A. BOTTING COMPANY		00105380.548000.	144.85
	W.A. BOTTING COMPANY		00105380.548000.	169.53
	W.A. BOTTING COMPANY		00112572.548000.	641.24
	W.A. BOTTING COMPANY		40141580.548000.	264.47
	W.A. BOTTING COMPANY		40142480.548000.	61.03
	W.A. BOTTING COMPANY		40142480.548000.	115.28
	W.A. BOTTING COMPANY		40142480.548000.	162.75
	W.A. BOTTING COMPANY		40142480.548000.	264.47
	W.A. BOTTING COMPANY		40142480.548000.	264.47
	W.A. BOTTING COMPANY		40143410.548000.	5.42
	W.A. BOTTING COMPANY		40143410.548000.	311.94
	W.A. BOTTING COMPANY		40143410.548000.	1,003.63
	W.A. BOTTING COMPANY		40143780.548000.	108.50
	W.A. BOTTING COMPANY		40143780.548000.	192.32
	W.A. BOTTING COMPANY		42047165.548000.	98.19
	W.A. BOTTING COMPANY		42047165.548000.	98.19
	W.A. BOTTING COMPANY		42047165.548000.	239.79
48148	WASHINGTON STATE TREASURER	PUB SAFETY/BUILDING REVENUE	001.237010.	58,400.68
	WASHINGTON STATE TREASURER		001.237030.	301.50
48149	WAXIE SANITARY SUPPLY	CART-PRKS&REC JENNINGS BARN	00105380.535000.	127.85

**CITY OF MARYSVILLE
INVOICE LIST**

FOR INVOICES FROM 6/5/2008 TO 6/11/2008

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT #</u>	<u>ITEM AMOUNT</u>
48150	WEED GRAAFSTRA AND BENSON INC PS	LEGAL SERVICES MAY 2008	00105515.541000.	975.00
	WEED GRAAFSTRA AND BENSON INC PS		00105515.541000.	11,934.69
	WEED GRAAFSTRA AND BENSON INC PS		00105515.541000.	28,616.69
	WEED GRAAFSTRA AND BENSON INC PS		30500030.563000.R0701	500.00
	WEED GRAAFSTRA AND BENSON INC PS		30500030.563000.R0301	1,449.40
	WEED GRAAFSTRA AND BENSON INC PS		31000076.563000.G0701	25.00
	WEED GRAAFSTRA AND BENSON INC PS		40143410.541000.	784.00
	WEED GRAAFSTRA AND BENSON INC PS		40143410.541000.	11,934.69
	WEED GRAAFSTRA AND BENSON INC PS		40145040.541000.	120.00
48151	WSSUA	UMPIRES-PARKS & REC SOFTBALL	00105120.531010.	2,460.00
48152	ZEE MEDICAL SERVICE	RE-SUPPLY FIRST AID KIT-KBSCC	00105250.531000.	34.58

WARRANT TOTAL:

1,059,678.96

LESS VOIDS

CHECK # 23110 (10.81)

CHECK # 46665 (4,200.00)

1,055,468.15

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 23, 2008

AGENDA ITEM: Supplement #2 to the Professional Services Agreement with The Transpo Group for the Transportation Element and Impact Fee Update	AGENDA SECTION:	
PREPARED BY: John Tatum, Traffic Engineer	AGENDA NUMBER:	
ATTACHMENTS: <ul style="list-style-type: none"> • Professional Services Agreement Supplement #2 	APPROVED BY:	
	MAYOR	CAO
BUDGET CODE: 30500010.541000 R0702	AMOUNT: \$0	

Under the existing professional services agreement (PSA) The Transpo Group is currently producing the Transportation Element Update for the Comprehensive Plan. Fundamental to the supporting analysis of the Element Update has been the revision and expansion of traffic models for future growth projections and intersection operations. The development of these models, their coordination with other consultant projects (Sunnyside and South City Access) and the addition of the SR9 Break in Access have been more time consuming than anticipated.

This Supplement #2 amends the project scope to extend the project Time of Performance. The new completion date is set to September 30, 2008 with added provision to extend that date to no later than December 31, 2008.

RECOMMENDED ACTION: Public Works Staff recommends the City Council authorize the Mayor to sign Supplemental Agreement No. 2 to the Professional Service Agreement for Transportation Element and Impact Fee Update for \$0
COUNCIL ACTION:

**SUPPLEMENTAL AGREEMENT NO. 2
TO
PROFESSIONAL SERVICES AGREEMENT
FOR
CITY OF MARYSVILLE**

This Supplemental Agreement No. 2 is made and entered into on the ____ day of _____, _____, between the City of Marysville, hereinafter called the "City" and Transpo Group, hereinafter called the "Consultant."

WITNESSETH THAT:

WHEREAS, the parties hereto have previously entered into an Agreement for Marysville Transportation Element Update, hereinafter called the "Project," said Agreement being dated July 23, 2007; and

WHEREAS, both parties desire to supplement said Agreement, by extending the delivery time frame for the Scope of Services to provide for Transportation Element and Impact Fee Update,

NOW THEREFORE, in consideration of the terms, conditions, covenants and performance contained herein or attached and incorporated, and made a part hereof, the parties hereto agree as follows:

Each and every provision of the Original Agreement for Professional Services dated July 23, 2007 shall remain in full force and effect, except as modified in the following sections:

1. Article III, Section 3.3 of the Original Agreement, "TIME OF PERFORMANCE", is amended to extend the time for completion from "May 30, 2008" to "September 30, 2008". A further extension of time may be given by the City not to exceed December 30, 2008.

The Total Amount payable to the Consultant is summarized as follows:

Original Agreement	\$_____228,310
Supplemental Agreement No.1	\$_____11,500

PROFESSIONAL SERVICES AGREEMENT - 1
Supplement

/wpf/forms/municipal/MV0038.B

Supplemental Agreement No.2	\$ _____ 0
Supplemental Agreement No.3	\$ _____
Grand Total	\$ _____ 239,810

IN WITNESS WHEREOF, the parties hereto have executed this SUPPLEMENTAL AGREEMENT NO. 2 as of the day and year first above written.

CITY OF MARYSVILLE

TRANSPO GROUP

By: _____
Mayor

By:  _____
Its Principal

ATTEST/AUTHENTICATED:

City Clerk

APPROVED AS TO FORM:

Marysville City Attorney

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 23, 2008

AGENDA ITEM: Interlocal Agreement with Snohomish County for Palm Scan	AGENDA SECTION:	
PREPARED BY: Commander R. Krusey	AGENDA NUMBER:	
ATTACHMENTS: Interlocal Agreement	APPROVED BY: Chief Richard Smith	
	MAYOR <i>DZIC</i>	CAO
BUDGET CODE:	AMOUNT: 1000.00	

Marysville Police Department request council approval of the Interlocal Agreement with Snohomish County for Palm Scan Maintenance, and authorize the Mayor to sign the agreement. The Interlocal Agreement is to provide a one-time maintenance fee to extend the maintenance on the Palm Scan equipment beyond the term that was provided for in the grant.

The attached Interlocal Agreement has been approved as to form by City attorney Grant Weed.

RECOMMENDED ACTION: Staff recommends that Maryville City Council authorize the Mayor to sign the Interlocal Agreement with Snohomish County for Palm scan maintenance.
COUNCIL ACTION:

**INTERLOCAL AGREEMENT
BETWEEN SNOHOMISH COUNTY AND THE CITY OF MARYSVILLE
for
LIVE SCAN FINGERPRINT AND PALMPRINT IMAGING STATION AND
AUTOMATED PALMPRINT INDEXING SYSTEM (APIS)**

THIS AGREEMENT, is made this _____ day of _____, 2008, by and between Snohomish County, a political subdivision of the State of Washington, (the County), and the City of Marysville, a municipal corporation of the State of Washington (the City).

RECITALS

WHEREAS, the County has obtained federal grant funding for the purpose of developing and implementing a regional “automated palmprint imaging and indexing system” (APIS); and

WHEREAS, the County and the City agree that deployment of APIS will enhance criminal investigations and public safety throughout Snohomish County; and

WHEREAS, the County and the City agree that it is in their mutual best interests for the City to participate in APIS; and

NOW, THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

1.0 COUNTY OBLIGATIONS

1.1 The County will deliver, configure, and provide technical assistance to install, through federal grant funds it has received, one Live Scan Fingerprint and Palm Imaging Station (the “Station”) to the City. The Station includes the following hardware and software:

- 1 CrossMatch ID 2500 Integrated Palm Imaging /Live Scan Console
- 1 FBI Approved Network Printer
- State of Washington submission software
- Demographics interface software

1.2 The County will schedule and provide training on use of the Station and procedures to City personnel at locations and time the County arranges.

1.3 The County will maintain warranty and maintenance agreements for the Station through April 11, 2011.

1.4 The County will develop a “store and forward archive system” (the “System”) for the purpose of transmitting fingerprint images and related information to the Washington State Patrol (“WSP”) as required by law and storing all palmprint images until such time that the WSP is able to accept palmprint images and the same are required by law to be transmitted to the WSP. At the time when the WSP is able to accept palmprint images and the same are required by law to be transmitted to the WSP, the County shall transmit all palmprint images archived in the System to the WSP. The County will maintain in the System duplicate images of all palmprint and fingerprint images transmitted to the WSP. The County reserves the right to use all of the palmprint and fingerprint images in its System as it deems appropriate subject only to controlling federal, state, and local laws, regulations, rules, and procedures related to the same.

2.0 CITY OBLIGATIONS

2.1 The City will provide, at its own expense, all necessary components, parts, systems, and facilities required to install the Station with technical assistance provided by the County.

2.2 The City agrees to send all fingerprints and palmprints and related information scanned through the Station to the County for inclusion in the System, subject to the provisions of Section 3.4.

2.2 The City agrees to maintain the Station and its connection to the System in good working order.

2.3 The City will be solely responsible for maintenance and repair of the Station after April 11, 2011.

2.4 The City shall not transfer, convey, or dispose of the Station without written authority from the County. The City shall provide the County with an annual status report detailing the operational status and location of the Station. The City shall return the Station to the County upon request from the County.

2.5 The City understands and acknowledges that other cities and towns within Snohomish County will also be participating in APIS through similar interlocal agreements. Furthermore, the City understands and acknowledges that all cities and towns with which the County has similar interlocal agreements will have access to the System under policies and procedures developed by the County, which includes information submitted by the City.

3.0 MUTUAL OBLIGATIONS

3.1 The County does not intend to assume, nor the City expect it to gain, any greater responsibility or liability than that imposed through the limited nature of this agreement.

3.2 The parties agree to strictly comply all applicable federal, state, and local laws, regulations, rules, and procedures regarding the collection, submission, access to, use,

dissemination, and disposal of fingerprint or palmprint images, including demographic or criminal history information related to fingerprint or palmprint submissions.

3.3 The parties agree to work cooperatively to assure that the installation, operation, and maintenance of the Station and System under this agreement do not compromise the security of the data being transmitted, nor the security of either party's respective information services systems.

3.4 The parties agree that once the WSP is able to accept palmprint images and the same are required by law to be transmitted to the WSP, the City shall have the option of disconnecting from the System and submitting fingerprint and palmprint images and related information directly to the WSP; PROVIDED, HOWEVER, that all costs related to disconnection from the System, and/or connection to the WSP system, shall be borne solely by the City.

3.5 The parties agree that the parties shall have access to all data retained in the System under policies and procedures developed by the County; PROVIDED, HOWEVER, that all data in the System shall belong exclusively to the County; and PROVIDED FURTHER, that the City may maintain copies of all fingerprints and palmprints and related information transmitted to the System.

4.0 COMPENSATION

The City agrees to pay the following amount to the County for the performance of the services set forth in this agreement:

4.1 On or before July 31, 2008, the City agrees to pay the County the sum of One Thousand Dollars (\$1,000).

4.2 Payment due to the County shall be hand delivered or mailed to:

Snohomish County Sheriff's Office
Fiscal Division
Mail Stop 606, 3000 Rockefeller Avenue
Everett, Washington 98201

5.0 INDEMNIFICATION

The City shall defend, indemnify and hold the County, its officers, officials, employees, and volunteers harmless from any and all claims, injuries, damages, losses, or suits including attorney fees, arising out of or in connection with the performance of this Agreement, except for injuries and damages caused by the sole negligence of the County.

6.0 TIME OF PERFORMANCE

This agreement shall commence when executed by both parties and filed with the Snohomish County Auditor, and shall continue until revoked by either party.

7.0 TERMINATION

Subject to the restrictions above, either party may terminate this agreement for any reason by providing one hundred twenty (120) days' written notice to the other party.

8.0 DISPUTES

Any factual dispute between the County and the City that relates to this agreement shall be referred for resolution to the Sheriff, or his/her designee, and the City of Marysville Police Chief, or his/her designee. In the event the dispute cannot be resolved to each party's mutual satisfaction, the issue shall be submitted to mediation through the Snohomish County Dispute Resolution Center. Both parties agree to utilize this process prior to the institution of any legal action to enforce the terms and conditions of this agreement. The cost of mediation shall be borne equally by the parties.

9.0 LEGAL REQUIREMENTS

Both parties shall comply with all applicable federal, state, and local laws in performing this agreement.

10.0 APPLICABLE LAW AND VENUE

This agreement shall be construed under the laws of the State of Washington. Venue of any legal action brought to enforce any of the terms and conditions of this agreement shall be Snohomish County, Washington.

11.0 NOTICE

Any notice to be given to the County under this agreement shall be either mailed or personally delivered to:

Snohomish County Sheriff
Mail Stop 606, 3000 Rockefeller Avenue
Everett, WA 98201

Any notice to the City shall be mailed or hand delivered to:

Chief of Police
Marysville Police Department
1635 Grove Street
Marysville, WA 98270

12.0 ADMINISTRATOR

To the extent required by RCW 39.34.030, the administrators of this interlocal agreement shall be the Sheriff of Snohomish County and the Chief of Police of the City of Marysville.

13.0 ENTIRE AGREEMENT

This document comprises the entire agreement between parties and supersedes any provision not contained herein.

2006-09 City of Marysville APIS Contract
5/29/2008

CITY OF MARYSVILLE

SNOHOMISH COUNTY

By _____
Dennis Kendall, Mayor
Dated: _____

By _____
Aaron Reardon, County Executive
Dated: _____

ATTEST:

RECOMMENDED FOR APPROVAL

By _____
City Clerk
Dated: _____

By _____
John Lovick
Sheriff
Dated: _____

APPROVED AS TO FORM:

APPROVED AS TO FORM:

By _____
City Attorney
Dated: _____


By _____
Deputy Prosecuting Attorney
Dated: _____

REVIEWED BY RISK MANAGEMENT:

By _____
Risk Analyst
Dated: _____

**CITY OF MARYSVILLE-
EXECUTIVE SUMMARY FOR ACTION**

CITY COUNCIL MEETING DATE: June 23, 2008

AGENDA ITEM: ZA05128709 Final Plat of Eagle Bay	AGENDA SECTION:	
PREPARED BY: Libby Grage, Associate Planner	AGENDA NUMBER:	
ATTACHMENTS: 1. Vicinity Map 2. Site Plan 3. Snohomish County Staff Recommendation 4. Snohomish County Hearing Examiner Decision dated 11/09/06 5. Final plat checklist	APPROVED BY: 	
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

On November 9, 2006, the Snohomish County Hearing Examiner issued preliminary plat approval for the 11 lot single-family subdivision of “Eagle Bay”. The plat is generally located on the west side of Sunnyside Boulevard, just north of 36th St. NE. The subject property was annexed to the City of Marysville on December 1, 2006 (Ord. 2661). The applicant has completed all conditions of approval set forth in the Snohomish County Hearing Examiner decision.

RECOMMENDED ACTION: Planning Staff recommends Council authorize the Mayor to sign the Final Plat Mylar for “Eagle Bay”.

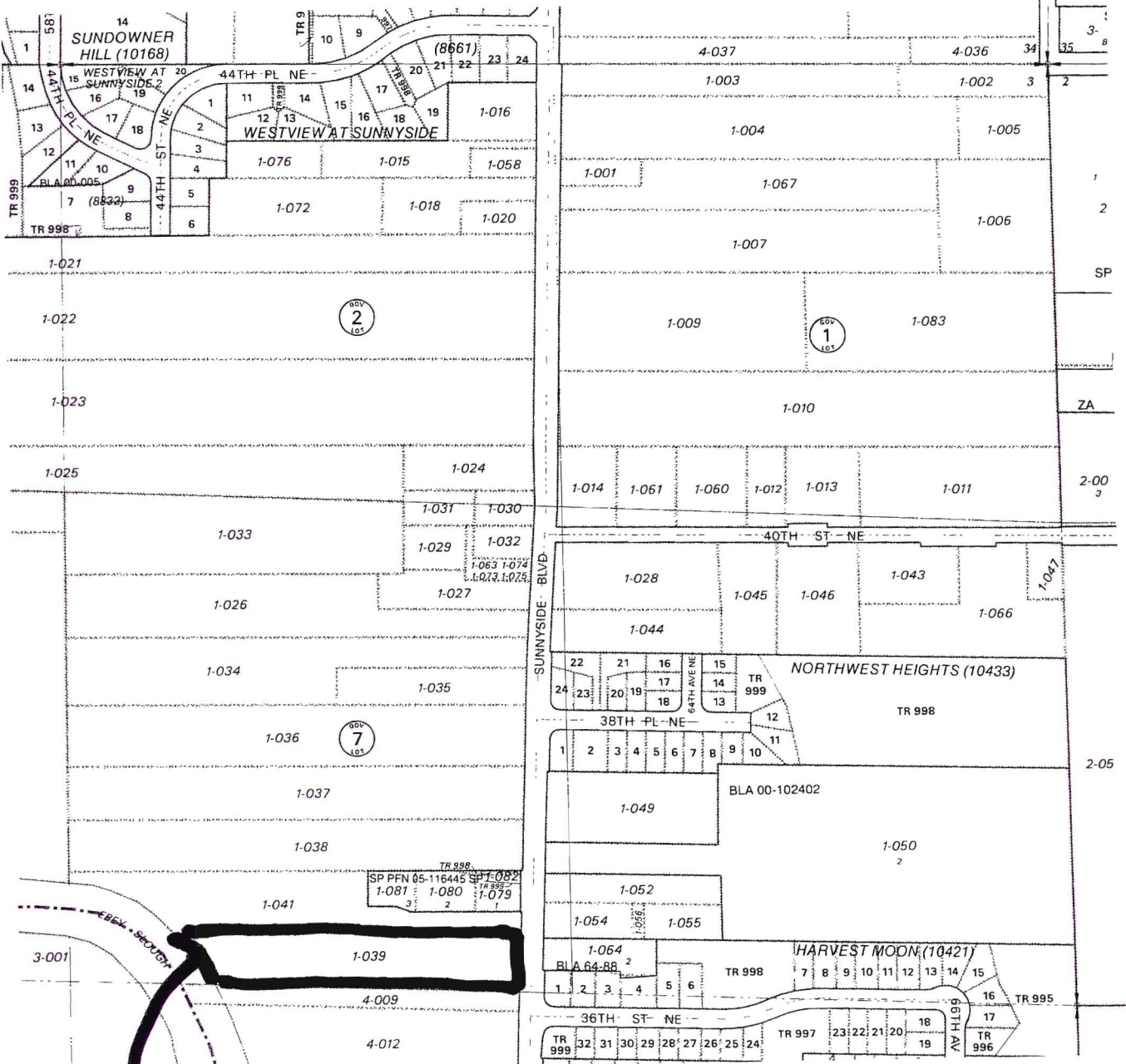
COUNCIL ACTION:

QUARTER SECTION TOWNSHIP N.W.B.L. RANGE E.W.M.
NE 3 29 05

A product of the Snohomish County Assessor's Office
 Map produced on April 01, 2008

SE-34-30-05

THIS IS NOT A SURVEY. IT IS A TAX PARCEL MAP USED FOR THE LOCATION OF PROPERTY ONLY. THE SNOHOMISH COUNTY ASSESSOR'S OFFICE MAKES NO WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE. EITHER EXPRESS OR IMPLIED. NO REPRESENTATION OR WARRANTY IS MADE CONCERNING THE ACCURACY, COMPLETENESS, CURRENTNESS OR QUALITY OF DATA. THE USER SHALL BE RESPONSIBLE FOR THE VERIFICATION OF ALL INFORMATION FOR USE. THE USER SHALL BE RESPONSIBLE FOR ANY DAMAGE, LOSS OR LIABILITY ARISING FROM ANY USE OF THIS MAP BEING THE MOST CURRENT TAX PARCEL MAP. PLEASE CONSULT THE OFFICIAL DATABASE ONLINE WITH THE SNOHOMISH COUNTY ASSESSOR.



NW-3-29-05

NW-2-29-05

SITE

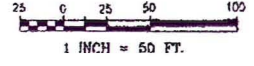
SE-3-29-05

Eagle Bay

S.W. 1/4, N.E. 1/4, SECTION 3, TOWNSHIP 29 NORTH, RANGE 5 EAST, W.M.
CITY OF MARYSVILLE, SNOHOMISH COUNTY, WASHINGTON
P.F.N. 05-128709-SD

Jun 09 2008 10:20AM HP LASERJET FAX

34
CALC. POS.
REF. (ROS)



Basis of Bearing:

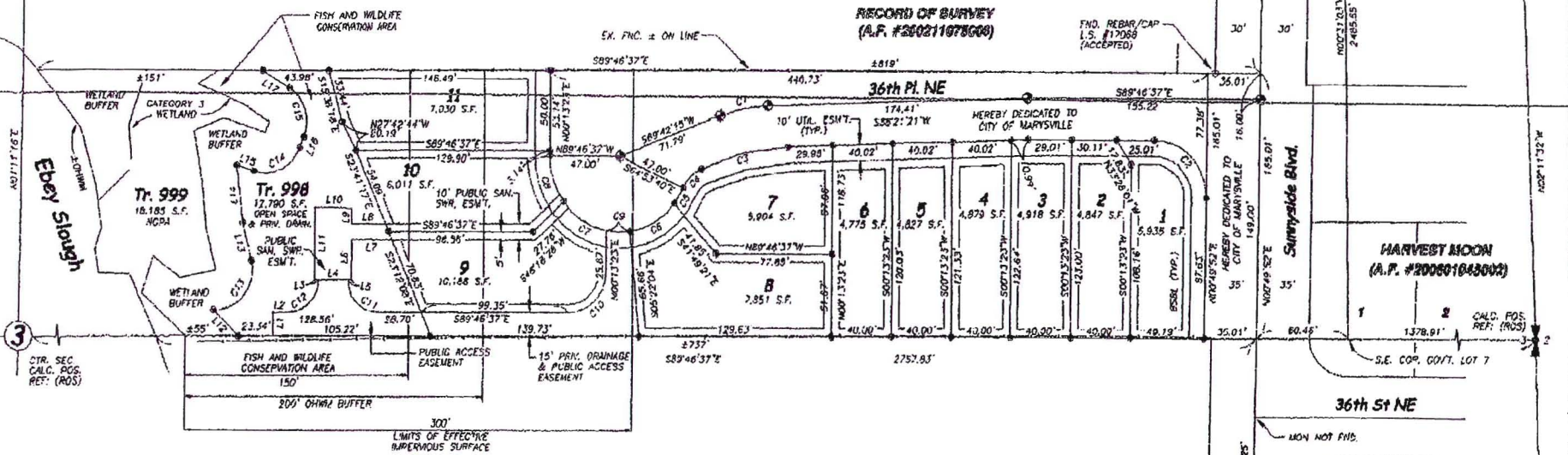
RECORD OF SURVEY
A.F. #200211075008
MONUMENTED CENTERLINE OF SUNNYSIDE BLVD.

Legend:

- ⊕ EX. 4" SO. CONC. MON. 1/2" BRASS (CASED)
- ⊙ SET 4" SO. CONC. MON. W/2" BRASS STAMPED "30442"
- ⊙ SET 1/2" x 24" REDAR/CAP STAMPED "30442"
- (ROS) RECORD OF SURVEY (A.F. #200211075008)
- (C) CALCULATED DATA
- (M) MEASURED DATA
- (D) DEED DATA
- B S.B.L. BUILDING SETBACK LINE

EX. 2" IRON PIPE FILLED W/CONC. (CASED) REF. (ROS)

34 35
CALC. POS. REF. (ROS)



Curve Table

CURVE	LENGTH	RADIUS	DELTA
C1	32.35	100.00	18°39'08"
C2	25.35	35.00	86°56'29"
C3	59.68	155.00	22°21'18"
C4	17.84	25.00	40°43'46"
C5	10.98	47.00	13°23'74"
C6	35.85	47.00	43°27'35"
C7	50.22	47.00	61°13'18"
C8	30.39	47.00	37°02'59"
C9	15.65	47.00	18°57'41"
C10	36.27	25.00	80°00'00"
C11	31.53	20.00	80°20'08"
C12	31.53	20.00	80°20'08"
C13	46.73	25.00	107°05'27"
C14	37.18	25.00	85°12'58"
C15	35.04	25.00	80°18'07"

Line Table

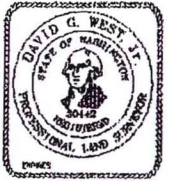
LINE	BEARING	LENGTH
L1	N00°13'21"E	15.00'
L2	S89°46'37"E	10.02'
L3	S89°46'37"E	2.30'
L4	S89°46'37"E	25.00'
L5	S89°46'37"E	2.30'
L6	N00°13'23"E	23.05'
L7	S89°46'37"E	26.70'
L8	S89°46'37"E	22.32'
L9	N00°13'23"E	9.61'
L10	N89°36'53"W	25.01'
L11	S00°13'23"W	45.00'
L12	S46°18'13"E	23.75'
L13	S1°52'39"E	23.82'
L14	S06°37'15"E	35.84'
L15	N72°12'40"W	12.20'
L16	S22°34'22"W	7.00'
L17	S37°43'38"E	20.89'

Equipment & Procedure:

LEICA TC 1800, 3 SECOND TOTAL STATION FOR FIELD TRAVERSE.
MONUMENTS VISITED MAR. 2005
PRECISION EXCEEDS STATE STANDARDS.
PER. W.A.C. 332-130-090.

References:

- HARVEST MOON (A.F. #2006010450028)
- RECORD OF SURVEY (A.F. #200211075008)



A.P. #
S.W. 1/4, N.E. 1/4, SECTION 3, TOWNSHIP 29 NORTH, RANGE 5 EAST, W.M.

 The West Group, Inc. Professional Land Surveyors & Planners 2120-Hawthill Ave Everett, Wa. 98201	DRAWN BY: D.G.W. Jr.	DATE: 5/28/08	JOB NO.: 2005-143
	CHECKED BY: D.G.W. Jr.	SCALE: 1"=50'	SHEET/OF: 4/4

RECEIVED
OCT 21 2006
CITY OF MARYSVILLE
COMMUNITY DEVELOPMENT



Snohomish County

**Planning & Development Services
Commercial/Land Use Division**

STAFF RECOMMENDATION

Project File Number: 05-128709-000-00-SD
Tax Acct. Number: 290503-001-039-00

Project Name: Eagle Bay
Nature of Request: 11-lot subdivision of 2.85 acres with concurrent rezone from RC to R-8400 utilizing lot size averaging.

Hearing Date: October 26, 2006
Date of Report: October 19, 2006

Application Complete: April 4, 2006
120-Day Status: Day 90

Owner/Applicant: Zoe Hallgren
7711 - 59th Ave NE
Marysville, WA 98270

Contact: Insight Engineering Company
3630 Colby Avenue
Everett, WA 98201

Acreage: 2.85 **Avg. Lot Area:** 5,875 square feet **Gross Density:** 3.85 du/ac
Lots: 11 **Smallest Lot Area:** 4,920 square feet **Net Density:** 6.5 du/ac
Lot Size Averaging: 8,707 square feet

Location: 3610 Sunnyside Blvd., Marysville, WA

Current Zoning: RC **Proposed Zoning:** R-8400

Comprehensive Plan
General Policy Plan: Urban Low Density Residential (4-6 du/ac)

School District: Marysville No. 25 **Fire District:** # 12
Water Source: Snohomish County PUD No. 1 **Sewer Service:** City of Marysville

Exhibit Number: 35
PFN: 05-128709 SD

STAFF RECOMMENDATION:

APPROVE PRELIMINARY SUBDIVISION AND REZONE WITH CONDITONS

I. NATURE OF APPLICATION

A. Request

Application has been received for an 11-lot single-family residential subdivision on 2.85 acres to be built out in one phase of development utilizing the lot size averaging provisions of Snohomish County Code. The platted lots will range in size from 4,920 square feet to 10,181 square feet, with the average lot size being 5,875 square feet. Access to the lots is proposed via a new public road off of Sunnyside Blvd. The site contains a Category 3 wetland along the Ebey Slough that borders the western boundary of the subject property, and will be protected in a NGPA tract. Public water and sewer will be provided to all lots. In addition, a Shoreline Management Substantial Development Permit (SMSDP), which will be processed administratively, was applied for due to the development's proximity to the Ebey Slough, which is classified as a Shoreline of the State. Part of the proposed development is within 200 feet of the Ordinary High Water Mark (OHWM) of Ebey Slough, specifically the proposed pump station located within Tract 998.

B. Project Chronology/Background

The Eagle Bay application was originally submitted to Planning and Development Services (PDS) on April 4, 2006 and was determined on May 2, 2006 to be complete as of the date of submittal for regulatory purposes, but insufficient for further review. A resubmittal of the application was received on August 10, 2006, which was determined on August 24, 2006 to be sufficient for further review. The 120-day clock started on August 24, 2006. As of the hearing date, 90 days of the 120-day review period will have elapsed.

C. Site Description

The 2.85 acre site is located on the west side of Sunnyside Blvd. The site is currently developed with one single-family home and a concrete driveway. The site slopes towards the west portion of the site. The site contains a Category 3 wetland that is located on a slope and is dominated by a mix of sedges and shrubs along the Ebey Slough that is classified as a Type 1 water body that borders the western boundary of the subject property.

D. Adjacent Zoning/Uses

Adjacent properties to the north and south are zoned RC (Rural Conservation). Properties to the east (across Sunnyside Blvd.) are zoned R-9600.

II. ISSUES OF CONCERN

There have not been any neighborhood concerns or comments. Most recently, the Department of Ecology (DOE) sent a letter via an e-mail attachment on September 29, 2006 (Exhibit 31) that expressed concerns with the accuracy of wetland delineations conducted on the subject property that were identified in two separate reports, as well as the adequacy of the SEPA checklist. In addition, the City of Marysville provided a letter dated October 3, 2006 attached to a wetland analysis conducted in

November, 2000 with concerns based on the differences of wetland classifications made by the two separate reports (Exhibit 32).

The County staff biologist responded to the concerns of the DOE and City of Marysville and staff conducted an additional site visit to verify the initial classifications were accurate (Exhibit 33). Though the environmental checklist may be somewhat inaccurate, County staff is confident that the proper classifications of the wetlands, streams, associated buffers, and Ordinary High Water Mark (OHWM) are identified correctly on the preliminary plat. The DNS was not appealed, which would have been an appropriate course of action if the DOE or the City felt that the SEPA checklist compromised the course of environmental review on the subject development.

In addition, The City of Marysville requested that the applicant dedicate 20 feet of the western portion of the property to the City in anticipation of a pedestrian/multi-purpose shoreline trail to be installed along the corridor of the Ebey Slough, which did not meet the County’s Critical Area Regulations and was not imposed as part of the County’s development review.

III. PROJECT CONSISTENCY WITH ADOPTED CODES AND POLICIES

Parks Mitigation (Chapter 30.66A SCC)

The proposal is within Park District No. 306 and is subject to Chapter 30.66A SCC, which requires payment of \$1,361.22 per each new single-family residential unit, to be paid either prior to plat recording or prior to building permit issuance for each unit. Such payment or contribution of in-kind mitigation is acceptable mitigation for parks and recreation impacts in accordance with county policies.

Traffic Mitigation and Road Design Standards (Title 13 SCC & Chapter 30.66B SCC)

PDS Traffic has reviewed the proposal for compliance with Title 13 and Chapter 30.66B of Snohomish County Code, Snohomish County Engineering Design and Development Standards (EDDS), and the appropriate policies and procedures.

1. Road System Capacity [SCC 30.66B.310]

The impact fee for this proposal is based on the new average daily trips (ADT) generated by SFRs, which is 9.57 ADT/SFR. This rate comes from the 7th Edition of the ITE Trip Generation Report (Land Use Code 210). The development will generate 95.70 new ADT and has a road system capacity impact fee of \$23,159.40 (\$2,105.40/lot) based on \$242.00/ADT. These figures do not include credit for on-site TDM measures. This impact fee must be paid prior to building permit issuance.

	Calculations
ADT	$(10 \text{ New SFRs}) \times (9.57 \text{ ADT/SFR}) = 95.70$
AM PHT	$(10 \text{ New SFRs}) \times (0.75 \text{ AM PHT/SFR}) = 7.50$
PM PHT	$(10 \text{ New SFRs}) \times (1.01 \text{ PM PHT/SFR}) = 10.10$

2. **Concurrency [SCC 30.66B.120]**

"Level-of-service" means a qualitative measure describing operational conditions within a traffic stream, and the perception thereof by road users. Level-of-service (LOS) standards may be evaluated in terms such as speed and travel time, freedom to maneuver, traffic interruptions, comfort, convenience, geographic accessibility, and safety. The highway capacity manual defines six levels of service for each type of facility for which analysis procedures are available. They are given letter designations, from A to F, with level-of-service A representing the best operating condition, and level-of-service F the worst.

The subject development has been evaluated for concurrency under the provisions of SCC 30.66B.120 and the Department of Public Works has made a preliminary determination that the development is concurrent as of May 9, 2006. The expiration date of the concurrency determination is six years from May 9, 2006.

The development has been deemed concurrent on the following basis:

Small or Medium-Sized Development in TSA with no arterial unit in arrears, SCC 30.66B.130(4).

The subject development is located in TSA A which, as of the date of submittal of the application, had no arterial units in arrears. The subject development generates 7.50 a.m. peak-hour trips and 10.10 p.m. peak-hour trips which is not more than the threshold of 50 peak-hour trips in which case the development would also have to be evaluated under SCC 30.66B.035.

3. **Inadequate Road Condition (IRC) [SCC 30.66B.210]**

The subject proposal will not impact any IRC locations identified at this time within TSA A with three or more of its p.m. peak hour trips, nor will it create any. Therefore, it is anticipated that mitigation will not be required with respect to inadequate road conditions and no restrictions to building permit issuance or certificate of occupancy/final inspection will be imposed under this section of Chapter 30.66B SCC.

4. **Frontage Improvements [SCC 30.66B.410]**

As per rule 4222.020(1), full frontage improvements are required along the subject parcel's frontage on Sunnyside Boulevard and consist of:

- 23 foot width from roadway centerline to the face of curb with asphalt concrete pavement
- Cement concrete curb and gutter
- Five (5) foot planter
- Five (5) foot cement concrete sidewalk

Construction of frontage improvements are required prior to building permit issuance unless bonding of improvements is allowed by PDS, in which case construction is required prior to any final approval is issued. Sunnyside Boulevard is not in the cost basis analysis for Chapter 30.66B SCC, therefore credit for any frontage improvements towards the applicant's impact fee is not applicable.

5. **Access and Circulation [SCC 30.66B.420]**

The proposed access does not appear to meet the spacing requirements on table 3-11 in the EDDS. A deviation to the EDDS was requested and approved.

Access to lot one did not appear to be able to meet the requirements of section 2-05, Corner Clearance from Intersections, in EDDS. The boundary of lot one was revised such that access spacing can be met. It will be a recommended condition of approval that access to lot one be limited to its western boundary.

A deviation request has been granted to not construct a planter and sidewalk on the north side of the new public road.

There is also a letter of approval in the file dated July 17, 2006, for intersection spacing on Sunnyside Boulevard.

6. Dedication of Right-of-Way [SCC 30.66B.510 and 30.66B.520]

Sunnyside Boulevard is designated as a Minor Arterial on the County's Arterial Circulation Map. This requires a right-of-way width of 40 feet on each side of the right-of-way centerline. Zero feet of right-of-way presently exist on the development's side of the right-of-way. Therefore, 40 feet of additional right-of-way is required. Five feet is shown for dedication. The preliminary plat appears to indicate that 30 feet of right-of-way exists. According to the DPW no right-of-way exists along Sunnyside Boulevard. As per RCW 58.17.165 any right-of-way shown for dedication on the face of a plat or short plat is the equivalent to a quiet claim deed. Based on this it is acceptable to show right-of-way dedication from the right-of-way centerline regardless of what exists now. The applicant has requested that only 35 feet of right-of-way be dedicated. The DPW does not object to the approval of this request. See the DPW letter dated June 2, 2006. 35 feet of right-of-way needs to be shown for dedication. Since this is not shown on the preliminary plat it will be a recommended condition of approval that it is.

Sunnyside Boulevard is not in the cost basis analysis for Chapter 30.66B SCC, therefore credit for any right-of-way dedication towards the applicant impact fee is not applicable.

7. State Highway Impacts [SCC 30.66B.710]

This development is subject to the Washington State Department of Transportation (WSDOT)/County Interlocal Agreement (ILA) which became effective on applications determined complete on or after December 21, 1997.

The impact mitigation measures under the ILA, Section IV (4.1)(b), may be accomplished through one of the following:

- (a) Voluntary negotiated construction of improvements,
- (b) Voluntary negotiated payment in lieu of construction,
- (c) Transfer of land from the developer to the State, or
- (d) A voluntary payment in the amount of \$36.00 per ADT

The applicant has chosen to offer zero dollars to the WSDOT since none of the WSDOT's projects will be impacted with more than three directional peak hour trips. The State has accepted this offer in an e-mail dated April 10, 2006. No mitigation will be required for the State.

8. Other Streets and Roads [SCC 30.66B.720]

The county has an ILA with the Cities of Marysville and Arlington and this development is within the influence area that requires traffic mitigation be considered for the City. The applicant has offered \$28,219.40 (\$2,565.40/lot) to the City of Marysville and \$2,306.44 (\$209.68/lot) to the City of Arlington.

Comment from the City of Marysville dated April 24, 2006, indicates that the amount offered does not provide credit for one SFR, which is applicable and that the amount owed to the City is \$25,654.00 (\$2,332.18/lot). The applicant has since revised their offer to this amount. It will be a recommended condition of approval that this amount is paid. The same situation applies for the City of Arlington. The amount owed to the City of Arlington is \$2,096.76 (\$190.61/lot).

There are no other City jurisdictions that have an ILA with the County that will be significantly impacted by the subject development.

9. Transportation Demand Management (TDM) [SCC 30.66B.630]

All new developments in the urban area shall provide TDM measures. Sufficient TDM measures shall be provided to indicate the potential for removing a minimum of five (5) percent of a development's P.M. peak hour trips from the road system. This requirement shall be met by the provisions of site design requirements under SCC 30.66B.640, as applicable, except where the development proposes construction or purchase of specific offsite TDM measures or voluntary payment in lieu of site design, in accordance with SCC 30.66B.620 and SCC 30.66B.625.

The applicant has submitted a TDM plan to fulfill this obligation. The TDM Plan that was submitted with the application needs to have a text description of the TDM measures proposed for the development, as is required by SCC 30.66B.660(1). The applicant has since offered cash payment to meet this obligation. It will be a recommended condition of approval that the amount \$757.50 (\$68.86/lot) is paid.

10. Pedestrian Facilities [RCW 58.17.110]

The county is required to make findings regarding safe walking conditions for school children that may reside in the subject development.

Comments from the school district indicate that the elementary students will walk to school, which is located at 3707 Sunnyside Boulevard. School comments indicate that middle and high school students will be picked up by a bus at the intersection of 36th St SE and Sunnyside Boulevard. Adequate pedestrian facilities exist to these locations. No off-site pedestrian facilities are required.

School Mitigation
(Chapter 30.66C SCC)

The Snohomish County Council amended Chapter 30.66C SCC by Amended Ordinance 97-095, adopted November 17, 1997, which became effective January 1, 1999, in accordance with Amended Ordinance 98-126, to provide for collection of school impact mitigation fees at the time of building permit issuance based upon certified amounts in effect at that time. The subject application was determined to be complete after the effective date of amended Chapter 30.66C SCC. Pursuant to Chapter 30.66C SCC, school impact mitigation fees will be determined according to the Base Fee Schedule in effect for the Marysville School District No. 25, at the time of building permit submittal and collected at the time of building permit issuance for the proposed units. Credit is to be given for the one existing lot. PDS has included a recommended condition of approval for inclusion within the project decision to comply with the requirements of Chapter 30.66C SCC.

Drainage and Grading
(Chapters 30.63A and 30.63B SCC)

The subject property contains one drainage basin that drains into the existing wetland located on the west portion of the site. A bioswale is proposed to provide water quality from impervious surfaces.

Planning and Development Services (Engineering) has reviewed the concept offered and is recommending approval of the project, subject to conditions which would be imposed during full drainage plan review pursuant to Chapter 30.63A SCC. Grading quantities are anticipated to be approximately 20,000 cubic yards of cut and 20,000 cubic yards of fill, primarily for road, drainage facility, and home site construction. Water quality would be controlled during construction by use of silt fences and straw bales in accordance with a Temporary Erosion and Sedimentation Control Plan (TESCP) required by Chapter 30.63A SCC.

Critical Areas Regulations
(Chapter 30.62 SCC)

The subject property is adjacent to Ebey Slough, a Type 1 water body, and contains an associated Category 3 wetland on the west side of the property. PDS has reviewed the Critical Areas Study and Mitigation Plan and determined that the project complies with the critical areas regulations.

GMA Comprehensive Plan
(General Policy Plan, GPP)

Four elements of the Snohomish County GMA Comprehensive Plan (GMACP) were adopted pursuant to Ordinance 94-125, which became effective on July 10, 1995. These elements are: the General Policy Plan (GPP); the Transportation Element; the 1995-2000 Capital Facilities Plan; and the Comprehensive Parks & Recreation Plan. On November 27, 1996, effective December 12, 1996, the Council adopted Amended Ordinances 96-074, and 96-071 which amended the map and text of the Snohomish County GMA Comprehensive Plan, and adopted an area-wide rezone within the Urban Growth Areas of the county respectively. This application was complete on April 4, 2006 after the effective date of Amended Ordinances 96-074 and 96-071. This application has been evaluated for consistency with the version of the GMA Comprehensive Plan, which became effective on December 12, 1996, as revised through the completeness date of the application.

The subject property is designated Urban Low Density Residential (ULDR: 4-6 DU/Ac) on the GPP Future Land Use map, and is located within an Urban Growth Area (UGA). It is not located within a mapped Growth Phasing Overlay. According to the GPP, the Urban Low Density Residential designation “covers various sub-area plan designations, which allow mostly detached housing developments on larger lot sizes. Land in this category may be developed at a density of four to six dwelling units per acre. Implementing zones include the R-7200, PRD-7200, R-8400, PRD-8400, R-9600, PRD-9600 and WFB zones.” PDS finds the requested rezone to be consistent with the General Policy Plan’s Urban Low Density Residential designation of the property.

The 11 lots proposed are consistent with the density provisions of Snohomish County’s GMA-based zoning regulations under Subtitle 30.2.

Zoning
(Chapter 30.2 SCC)

This project meets zoning code requirements for lot size, including lot size averaging provisions, bulk regulations and other zoning code requirements.

The proposal has been evaluated for compliance with the lot size averaging (LSA) provisions of SCC 30.23.210, which provide that the minimum lot area of the applicable zone is deemed to have been met if the area in lots plus critical areas and their buffers and areas designated as open space or recreational uses, if any, divided by the number of lots proposed, is not less than the minimum lot area requirement. In no case shall the density achieved be greater than the gross site area divided by the underlying zoning. In determining the appropriate calculation, lots may not be less than 3,000 square feet in area, and any lot having an area less than the minimum zoning requirement must provide a minimum lot width of not less than 40 feet, and right-of-way (ROW) setbacks of 15 feet, except that garages must be setback 18 feet from the ROW (except alleys) and corner lots may reduce one ROW setback to no less than 10 feet. Lot coverage for this proposed subdivision is a maximum of 55%.

The LSA calculation is as follows:

Area in Lots (68,237 square feet) + Critical Areas and Buffers (24,268 square feet) + Open Space (3,282 square feet) = (95,787 square feet) ÷ 11 lots proposed = 8,707 square feet

The minimum zoning requirement is 8,400 square feet. No lot is less than 3,000 square feet, and all lots comply with minimum lot width and setback requirements. Roadways and surface detention/retention facilities are not counted toward the LSA calculations. PDS concludes that the proposal is consistent with the lot size averaging provisions of SCC 30.23.210.

Environmental Policy
(Chapter 30.61 SCC)

PDS issued a Determination of Nonsignificance (DNS) for the subject application on September 13, 2006 (Exhibit 16). The DNS was not appealed.

Subdivision Code
(Chapter 30.41A SCC)

The proposed plat also meets Chapter 30.41A SCC requirements. A complete application for the proposed plat was received by PDS on April 4, 2006. The proposed plat as conditioned also meets the general requirements under Section 30.41A.100 with respect to health, safety and general welfare of the community. As proposed, the subject lots will not be subject to flood, inundation or swamp conditions. The lots as proposed are outside of all regulated flood hazard areas. As conditioned, the plat will meet all SCC 30.41A.210 design standards for roads.

Plats – Subdivisions - Dedications
(Chapter 58.17 RCW)

The plat has been reviewed for conformance with criteria established by RCW 58.17.100, .110, .120, and .195. Such criteria require that the plat conform with applicable zoning ordinances and comprehensive plans, and make appropriate provisions for the public health, safety and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary

wastes, parks and recreation, playgrounds, schools and school grounds, and other planning features including safe walking conditions for students.

The proposed plat conforms with applicable zoning codes and the comprehensive plan. There is open space provided within the plat in the form of wetland, and buffer areas, the single-family homes on small lots will be in character with the existing neighborhood. Provisions for adequate drainage have been made in the conceptual plat design which indicates that the final design can conform to Chapter 30.63A SCC and State DOE drainage standards. The plat, as conditioned, will conform to Chapters 30.66A, B and C SCC, satisfying county requirements with respect to parks and recreation, traffic, roads and walkway design standards, and school mitigation. Water and sewer are to be provided by Snohomish County PUD and City of Marysville.

IV. CONCLUSIONS

- A. The proposal is consistent with the GMACP; GMA-based county codes, the type and character of land use permitted on the project site, the permitted density and applicable design and development standards.
- B. Adequate public services exist to serve the proposal.
- C. If approved with the recommended conditions, the proposal would make adequate provisions for the public health, safety and general welfare.

V. STAFF RECOMMENDATION ON BEHALF OF THE EXECUTIVE BRANCH

APPROVAL of the proposed Preliminary Subdivision and Rezone is recommended subject to the following **CONDITIONS**:

CONDITIONS

- A. The preliminary plat received by PDS on August 10, 2006 (Exhibit 13) shall be the approved plat configuration. Changes to the approved plat are governed by SCC 30.41A.330.
- B. Prior to initiation of any further site work; and/or prior to issuance of any development/construction permits by the county:
 - i. All site development work shall comply with the requirements of the plans and permits approved pursuant to Condition A, above.
 - ii. The plattor shall mark with temporary markers in the field the boundary of all Native Growth Protection Areas (NGPA) required by Chapter 30.62 SCC, or the limits of the proposed site disturbance outside of the NGPA, using methods and materials acceptable to the county.
 - iii. A final mitigation plan based on the *Critical Areas Study and Detailed Mitigation Plan* prepared by S.R. Jay Consulting, Inc. dated August 10, 2006 (Exhibit 15) shall be submitted for review and approval during the construction review phase of this project.

C. The following additional restrictions and/or items shall be indicated on the face of the final plat:

i. "The lots within this subdivision will be subject to school impact mitigation fees for the Marysville School District No. 25 to be determined by the certified amount within the Base Fee Schedule in effect at the time of building permit application, and to be collected prior to building permit issuance, in accordance with the provisions of SCC 30.66C.010. Credit shall be given for one existing parcel. Lot 1 shall receive credit."

ii. Chapter 30.66B SCC requires the new lot mitigation payments in the amounts shown below for each single-family residential building permit, or twice the amount for a duplex:

\$2,105.40 per lot for mitigation of impacts on County roads paid to the County,

\$68.86 per lot for Transportation Demand Management paid to the County,

\$2,332.18 per lot for mitigation of impacts on City streets for the City of Marysville paid to the City. Proof of payment shall be provided.

\$190.61 per lot for mitigation of impacts on City streets for the City of Arlington paid to the City. Proof of payment shall be provided.

These payments are due prior to or at the time of building permit issuance for each single-family residence. Notice of these mitigation payments shall be contained in any deeds involving this subdivision of the lot(s) therein. Once building permits have been issued, all mitigation payments shall be deemed paid by PDS.

iii. Right-of-way dedication to the satisfaction of the DPW along the parcel's frontage of Sunnyside Boulevard must be provided.

iv. Access to Lot 1 shall be limited to its western boundary on the new public road.

v. All Critical Areas shall be designated Native Growth Protection Areas (NGPA) (unless other agreements have been made) with the following language on the face of the plat;

"All NATIVE GROWTH PROTECTION AREAS shall be left permanently undisturbed in a substantially natural state. No clearing, grading, filling, building construction or placement, or road construction of any kind shall occur, except removal of hazardous trees. The activities as set forth in SCC 32.10.110(29)(a), (c), and (d) are allowed when approved by the County."

vi. The dwelling units within this development are subject to park impact fees in the amount of \$1,361.22 per newly approved dwelling unit pursuant to Chapter 30.66A. Payment of these mitigation fees is required prior to building permit issuance; provided that the building permit has been issued within five years after the application is deemed complete. After five years, park impact fees shall be based upon the rate in effect at the time of building permit issuance.

D. Prior to recording of the final plat:

- i. Urban frontage improvements shall be constructed along the parcel's frontage on Sunnyside Boulevard to the specifications of the DPW [SCC 26B.55.050].
- ii. Native Growth Protection Area boundaries (NGPA) shall have been permanently marked on the site prior to final inspection by the county, with both NGPA signs and adjacent markers which can be magnetically located (e.g.: rebar, pipe, 20 penny nails, etc.). The platlor may use other permanent methods and materials provided they are first approved by the county. Where an NGPA boundary crosses another boundary (e.g.: lot, tract, plat, road, etc.), a rebar marker with surveyors' cap and license number must be placed at the line crossing.

NGPA signs shall have been placed no greater than 100 feet apart around the perimeter of the NGPA. Minimum placement shall include one Type 1 sign per wetland, and at least one Type 1 sign shall be placed in any lot that borders the NGPA, unless otherwise approved by the county biologist. The design and proposed locations for the NGPA signs shall be submitted to the Land Use Division for review and approval prior to installation.

- iii. The final wetland mitigation plan shall be completely implemented.

E. All development activity shall conform to the requirements of Chapter 30.63A SCC.

Nothing in this permit/approval excuses the applicant, owner, lessee, agent, successor or assigns from compliance with any other federal, state or local statutes, ordinances or regulations applicable to this project.

Preliminary plats which are approved by the county are valid for five (5) years from the date of approval and must be recorded within that time period unless an extension has been properly requested and granted pursuant to SCC 30.41A.300.

BEFORE THE
SNOHOMISH COUNTY HEARING EXAMINER
DECISION of the DEPUTY HEARING EXAMINER

In the Matter of the Application of)
)
ZOE HALLGREN) **FILE NO. 05 128709 SD**
)
Preliminary plat for an 11-lot subdivision utilizing lot)
size averaging and a rezone from Rural Conservation)
(RC) to R-8,400)

DATE OF DECISION: November 9, 2006

PLAT/PROJECT NAME: *Eagle Bay*

DECISION (SUMMARY): The rezone from the current Rural Conservation to the proposed R-8,400 and the concurrent 11-lot subdivision are **CONDITIONALLY APPROVED**.

BASIC INFORMATION

GENERAL LOCATION: This project is located at 3610 Sunnyside Blvd, Marysville, Washington.

ACREAGE: 2.85 acres

NUMBER OF LOTS: 11

AVERAGE LOT SIZE: 5,875 square feet

MINIMUM LOT SIZE: 4,920 square feet

DENSITY: 3.85 du/ac (gross)
6.5 du/ac (net)

ZONING: CURRENT: RC
PROPOSED: R-8,400

05128709.doc

RECEIVED
NOV 07 2007
CITY OF MARYSVILLE
COMMUNITY DEVELOPMENT

COMPREHENSIVE PLAN DESIGNATION:

General Policy Plan Designation: Urban Low Density Residential (4-6 du/ac)

UTILITIES:

Water: Snohomish County PUD No. 1
Sewer: City of Marysville

SCHOOL DISTRICT: Marysville No. 25

FIRE DISTRICT: No. 12

SELECTED AGENCY RECOMMENDATIONS:

Department of:

Planning and Development Services (PDS): Approval subject to conditions

Public Works (DPW): Approval subject to conditions

INTRODUCTION

The applicant filed the Master Application on April 4, 2006. (Exhibit 1)

The Department of Planning and Development Services (PDS) gave proper public notice of the open record hearing as required by the county code. (Exhibits 17, 18 and 19)

A SEPA determination was made on September 13, 2006. (Exhibit 16) No appeal was filed.

The Examiner held an open record hearing on October 26, 2006, the 90th day of the 120-day decision making period. Witnesses were sworn, testimony was presented, and exhibits were entered at the hearing.

PUBLIC HEARING

The public hearing commenced on October 26, 2006 at 11:40 a.m.

1. The Examiner announced that he had read the PDS staff report, reviewed the file and viewed the area and therefore was generally apprised of the particular request involved.
2. The applicant, Zoe Hallgren, was represented by Eric Olson. Snohomish County was represented by Mona Davis of the Department of Planning and Development Services. No member of the public commented by document or by appearance at the hearing.

The hearing concluded at 11:48 p.m.

NOTE: For a complete record, an electronic recording of this hearing is available in the Office of the Hearing Examiner.

FINDINGS, CONCLUSIONS AND DECISION

FINDINGS OF FACT

Based on all the evidence of record, the following findings of fact are entered.

1. The master list of exhibits and witnesses which is a part of this file and which exhibits were considered by the Examiner, is hereby made a part of this file as if set forth in full herein.
2. The PDS staff report has correctly analyzed the nature of the application, the issues of concern, the application's consistency with adopted codes and policies and land use regulations, and the State Environmental Policy Act (SEPA). That staff report is hereby adopted by the Examiner as if set forth in full herein.
3. The request is for a rezone of 2.85 acres from RC to R-8,400 in order to construct an 11-lot subdivision using lot size averaging. Average weekday vehicle trips are 98, of which 8 are a.m. peak hour trips and 10 are p.m. peak hour trips.
4. Because the pump station proposed within Tract 998 is within 200 feet of the Ordinary High Water Mark of the Ebey Slough, the applicant applied for a Shoreline Substantial Development Permit which will be processed administratively and not by the Hearing Examiner as part of the total proposal.
5. The applicant, Zoe Halgren, filed an application for an 11-lot subdivision using lot size averaging on 2.85 acres with a concurrent rezone from the existing Rural Conservation to the proposed R-8,400 at 3610 Sunnyside Boulevard, Marysville.
6. The project would comply with park mitigation requirements under Chapter 30.66A SCC by the payment of \$1,361.22 for each new single-family home.
7. The DPW reviewed the request with regard to traffic mitigation and road design standards. This review covered Title 13 SCC and Chapter 30.66B SCC as to road system capacity, concurrency, inadequate road conditions, frontage improvements, access and circulation, and dedication/deeding of right-of-way, state highway impacts, impacts on other streets and roads, and Transportation Demand Management. As a result of this review, the DPW has determined that the development is concurrent and has no objection to the requests subject to various conditions.
8. School mitigation requirements under Chapter 30.66C SCC have been reviewed and set forth in the conditions.
9. The subject property is adjacent to Ebey Slough, a Type 1 water body, and contains an associated Category 3 wetland on the west side of the property. The Washington State Department of Ecology challenged the accuracy of wetland delineations initially conducted on the subject site and challenged the adequacy of the SEPA Checklist (Exhibit 31). The City of Marysville also challenged the wetland delineation (Exhibit 32). The County staff, including its biologist, responded by revisiting the subject site and express confidence that the classifications of the wetlands, streams, associated buffers and the Ordinary high Water Mark are identified correctly on the preliminary plat. Further, the staff report (Exhibit 35) recommends that because the County's Critical Areas Ordinance does not require it, the City of Marysville's request for a dedication to that City of 20 feet along the western portion of the subject site for a multi-purpose, pedestrian shoreline trail should be denied. Absent an appropriate interlocal agreement, the Examiner reluctantly concurs with the County recommendation of denial of the City's request.

10. The PDS Engineering Division has reviewed the concept of the proposed grading and drainage and recommends approval of the project subject to conditions, which would be imposed during full detailed drainage plan review pursuant to Chapter 30.63A SCC.
11. The Snohomish County Health District has no objection to this proposal provided that public water and sewer are furnished. Public water and sewer service and electrical power will be available for this development.
12. The property is designated Urban Low Density Residential (ULDR 4-6 du/ac) on the General Policy Plan (GPP) Future Land Use Map (FLUM) and is located within an Urban Growth Area (UGA). Land in this category may be developed at a density of 4-6 du/ac and one of the implementing zones is the R-7,200 zone which is the case here.
13. The proposed use (single-family detached development) is essentially compatible with existing single-family detached developments on larger lots. Because the property is within a UGA, policies were adopted to promote urban densities of development. A comparison with the present lower density character of much of the area is inappropriate since the present density of development in much of the surrounding area is inconsistent with both the adopted comprehensive plans and the present zoning.
14. The request complies with the Snohomish County Subdivision Code, Chapter 30.41A SCC as well as the State Subdivision Code, RCW 58.17. The proposed plat complies with the established criteria therein and makes the appropriate provisions for public, health, safety and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and other planning features including safe walking conditions for students.
15. Chapter 30.42A covers rezoning requests and applies to site-specific rezone proposals that conform to the Comprehensive Plan. The decision criteria under SCC 30.42A.100 provides as follows:

The hearing examiner may approve a rezone only when all the following criteria are met:

 - (1) the proposal is consistent with the comprehensive plan;
 - (2) the proposal bears a substantial relationship to the public health, safety, and welfare; and
 - (3) where applicable, minimum zoning criteria found in Chapters 30.31A through 30.31F SCC are met.

It is the finding of the Examiner that the request meets these requirements generally and should be approved.
16. The proposal has been evaluated by PDS for compliance with the lot size averaging provisions of SCC 30.41A.240 and SCC 30.23.210. This proposal is consistent with these provisions.
17. The request is consistent with Section 30.70.100 SCC (Section 32.50.100 SCC), which requires, pursuant to RCW 36.70B.040, that all project permit applications be consistent with the GMACP, and GMA-based county codes.
18. Any finding of fact in this decision which should be deemed a conclusion is hereby adopted as such.

CONCLUSIONS OF LAW

Based on the findings of fact entered above, the following conclusions of law are entered.

1. The Examiner having fully reviewed the PDS staff report, hereby adopts said staff report as properly setting forth the issues, the land use requests, consistency with the existing regulations, policies, principles, conditions and their effect upon the request. It is therefore hereby adopted by the Examiner as a conclusion as if set forth in full herein, in order to avoid needless repetition. There are no changes to the recommendations of the staff report.
2. The Department of Public Works recommends that the request be approved as to traffic use subject to conditions specified below herein.
3. The request is consistent with the (1) GMACP, GMA-based County codes, (2) the type and character of land use permitted on the site, (3) the permitted density, and(4) the applicable design and development standards.
4. The request is for a rezone and therefore must comply with Chapter 30.42A. This is a site specific rezone that conforms to the Comprehensive Plan. Because no evidence was submitted contrary to the requirements of Chapter 30.42A, the application is presumed to meet these requirements.
5. Any conclusion in this decision which should be deemed a finding of fact is hereby adopted as such.

DECISION

Based on the findings of fact and conclusions of law entered above, the decision of the Hearing Examiner on the application is as follows:

The requests for a preliminary plat for an 11-lot subdivision utilizing lot size averaging provisions and for a rezone from Rural Conservation to Residential-8,400 are hereby **CONDITIONALLY APPROVED**, subject to the following conditions:

CONDITIONS

- A. The preliminary plat received by PDS on August 10, 2006 (Exhibit 13) shall be the approved plat configuration. Changes to the approved plat are governed by SCC 30.41A.330.
- B. Prior to initiation of any further site work; and/or prior to issuance of any development/construction permits by the county:
 - i. All site development work shall comply with the requirements of the plans and permits approved pursuant to Condition A, above.
 - ii. The platlor shall mark with temporary markers in the field the boundary of all Native Growth Protection Areas (NGPA) required by Chapter 30.62 SCC, or the limits of the proposed site disturbance outside of the NGPA, using methods and materials acceptable to the county.

- iii. A final mitigation plan based on the *Critical Areas Study and Detailed Mitigation Plan* prepared by S.R. Jay Consulting, Inc. dated August 10, 2006 (Exhibit 15) shall be submitted for review and approval during the construction review phase of this project.

C. The following additional restrictions and/or items shall be indicated on the face of the final plat:

- i. “The lots within this subdivision will be subject to school impact mitigation fees for the Marysville School District No. 25 to be determined by the certified amount within the Base Fee Schedule in effect at the time of building permit application, and to be collected prior to building permit issuance, in accordance with the provisions of SCC 30.66C.010. Credit shall be given for one existing parcel. Lot 1 shall receive credit.”

- ii. Chapter 30.66B SCC requires the new lot mitigation payments in the amounts shown below for each single-family residential building permit, or twice the amount for a duplex:

\$2,105.40 per lot for mitigation of impacts on County roads paid to the County,

\$68.86 per lot for Transportation Demand Management paid to the County,

\$2,332.18 per lot for mitigation of impacts on City streets for the City of Marysville paid to the City. Proof of payment shall be provided.

\$190.61 per lot for mitigation of impacts on City streets for the City of Arlington paid to the City. Proof of payment shall be provided.

These payments are due prior to or at the time of building permit issuance for each single-family residence. Notice of these mitigation payments shall be contained in any deeds involving this subdivision of the lot(s) therein. Once building permits have been issued, all mitigation payments shall be deemed paid by PDS.

- iii. Right-of-way dedication to the satisfaction of the DPW along the parcel’s frontage of Sunnyside Boulevard must be provided.

- iv. Access to Lot 1 shall be limited to its western boundary on the new public road.

- v. All Critical Areas shall be designated Native Growth Protection Areas (NGPA) (unless other agreements have been made) with the following language on the face of the plat;

“All NATIVE GROWTH PROTECTION AREAS shall be left permanently undisturbed in a substantially natural state. No clearing, grading, filling, building construction or placement, or road construction of any kind shall occur, except removal of hazardous trees. The activities as set forth in SCC 32.10.110(29)(a), (c), and (d) are allowed when approved by the County.”

- vi. The dwelling units within this development are subject to park impact fees in the amount of \$1,361.22 per newly approved dwelling unit pursuant to Chapter 30.66A. Payment of these mitigation fees is required prior to building permit issuance; provided that the building permit has been issued within five years after the application is deemed complete. After five years, park impact fees shall be based upon the rate in effect at the time of building permit issuance.

D. Prior to recording of the final plat:

- i. Urban frontage improvements shall be constructed along the parcel's frontage on Sunnyside Boulevard to the specifications of the DPW [SCC 26B.55.050].
- ii. Native Growth Protection Area boundaries (NGPA) shall have been permanently marked on the site prior to final inspection by the county, with both NGPA signs and adjacent markers which can be magnetically located (e.g.: rebar, pipe, 20 penny nails, etc.). The plattor may use other permanent methods and materials provided they are first approved by the county. Where an NGPA boundary crosses another boundary (e.g.: lot, tract, plat, road, etc.), a rebar marker with surveyors' cap and license number must be placed at the line crossing.

NGPA signs shall have been placed no greater than 100 feet apart around the perimeter of the NGPA. Minimum placement shall include one Type 1 sign per wetland, and at least one Type 1 sign shall be placed in any lot that borders the NGPA, unless otherwise approved by the county biologist. The design and proposed locations for the NGPA signs shall be submitted to the Land Use Division for review and approval prior to installation.

- iii. The final wetland mitigation plan shall be completely implemented.

E. All development activity shall conform to the requirements of Chapter 30.63A SCC.

Nothing in this permit/approval excuses the applicant, owner, lessee, agent, successor or assigns from compliance with any other federal, state or local statutes, ordinances or regulations applicable to this project.

Preliminary plats which are approved by the county are valid for five (5) years from the date of approval and must be recorded within that time period unless an extension has been properly requested and granted pursuant to SCC 30.41A.300.

Decision issued this 9th day of November, 2006.

Ed Good, Deputy Hearing Examiner

EXPLANATION OF RECONSIDERATION AND APPEAL PROCEDURES

The decision of the Hearing Examiner is final and conclusive with right of appeal to the County Council. However, reconsideration by the Examiner may also be sought by one or more parties of record. The following paragraphs summarize the reconsideration and appeal processes. For more information about reconsideration and appeal procedures, please see Chapter 30.72 SCC and the respective Examiner and Council Rules of Procedure.

Reconsideration

Any party of record may request reconsideration by the Examiner. A petition for reconsideration must be filed in writing with the Office of the Hearing Examiner, 2nd Floor, County Administration-East Building, 3000 Rockefeller Avenue, Everett, Washington, (Mailing Address: M/S #405, 3000 Rockefeller Avenue, Everett WA 98201) on or before **NOVEMBER 20, 2006**. There is no fee for filing a petition for reconsideration. **“The petitioner for reconsideration shall mail or otherwise provide a copy of the petition for reconsideration to all parties of record on the date of filing.” [SCC 30.72.065]**

A petition for reconsideration does not have to be in a special form but must: contain the name, mailing address and daytime telephone number of the petitioner, together with the signature of the petitioner or of the petitioner’s attorney, if any; identify the specific findings, conclusions, actions and/or conditions for which reconsideration is requested; state the relief requested; and, where applicable, identify the specific nature of any newly discovered evidence and/or changes proposed by the applicant.

The grounds for seeking reconsideration are limited to the following:

- (a) The Hearing Examiner exceeded the Hearing Examiner’s jurisdiction;
- (b) The Hearing Examiner failed to follow the applicable procedure in reaching the Hearing Examiner’s decision;
- (c) The Hearing Examiner committed an error of law;
- (d) The Hearing Examiner’s findings, conclusions and/or conditions are not supported by the record;
- (e) New evidence which could not reasonably have been produced and which is material to the decision is discovered; or
- (f) The applicant proposed changes to the application in response to deficiencies identified in the decision.

Petitions for reconsideration will be processed and considered by the Hearing Examiner pursuant to the provisions of SCC 30.72.065. Please include the County file number in any correspondence regarding this case.

Appeal

An appeal to the County Council may be filed by any aggrieved party of record. Where the reconsideration process of SCC 30.72.065 has been invoked, no appeal may be filed until the reconsideration petition has been disposed of by the hearing examiner. An aggrieved party need not file a petition for reconsideration but may file an appeal directly to the County Council. If a petition for reconsideration is filed, issues subsequently raised by that party on appeal to the County Council shall be limited to those issues raised in the petition for reconsideration. Appeals shall be addressed to the Snohomish County Council but shall be filed in writing with the Department of Planning and Development Services, 2nd Floor, County Administration-East Building, 3000 Rockefeller Avenue, Everett, Washington (Mailing address: M/S #604, 3000 Rockefeller Avenue, Everett, WA 98201) on or before **NOVEMBER 27, 2006** and shall be accompanied by a filing fee in the amount of five hundred dollars (\$500.00); PROVIDED, that the filing fee shall not be charged to a department of the County or to other than the first appellant; and PROVIDED FURTHER, that the filing fee shall be refunded in any case where an appeal is dismissed without hearing because of untimely filing, lack of standing, lack of jurisdiction or other procedural defect. [SCC 30.72.070]

An appeal must contain the following items in order to be complete: a detailed statement of the grounds for appeal; a detailed statement of the facts upon which the appeal is based, including citations to specific Hearing Examiner findings, conclusions, exhibits or oral testimony; written arguments in support of the appeal; the name, mailing address and daytime telephone number of each appellant, together with the signature of at least one of the appellants or of the attorney for the appellant(s), if any; the name, mailing address, daytime telephone number and signature of the appellant's agent or representative, if any; and the required filing fee.

The grounds for filing an appeal shall be limited to the following:

- (a) The decision exceeded the Hearing Examiner's jurisdiction;
- (b) The Hearing Examiner failed to follow the applicable procedure in reaching his decision;
- (c) The Hearing Examiner committed an error of law; or
- (d) The Hearing Examiner's findings, conclusions and/or conditions are not supported by substantial evidence in the record. [SCC 30.72.080]

Appeals will be processed and considered by the County Council pursuant to the provisions of Chapter 30.72 SCC. Please include the County file number in any correspondence regarding the case.

Staff Distribution:

Department of Planning and Development Services: Mona Davis
Department of Public Works: Mark Brown

The following statement is provided pursuant to RCW 36.70B.130: "Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation." A copy of this Decision is being provided to the Snohomish County Assessor as required by RCW 36.70B.130.



COMMUNITY DEVELOPMENT DEPARTMENT
 80 Columbia Avenue, Marysville, WA 98270
 (360) 363-8100, (360) 651-5099 FAX

FINAL PLAT CHECK LIST

Plat Name: EAGLE BAY PA# ZA 05128709

Item	Department	Initials	Date
1. Plat Map- Checked & Approved	Land Dev.	JBT	6/6/08
	Planning	AY	6/6/08
2. Letter of Segregation to Assessor	Planning	JBT	6/2/08
3. Water System/Sewer System			
Letter of Acceptance	Const. Insp.	(S)	6.06.08
Asbuilts – Including Digital Files	Const. Insp.	(S)	6.06.08
Bill(s) of Sale	Const. Insp.	(S)	6.06.08
Maintenance and Warranty Funding	Const. Insp.	(S)	6.06.08
4. Road/Storm Sewer			
Letter of Acceptance	Const. Insp.	Emp. Co.	6.06.08
Asbuilts – Including Digital Files	Const. Insp.		
Bill(s) of Sale	Const. Insp.	(S)	6.06.08
Maintenance and Warranty Funding	Const. Insp.	(S)	6.06.08
5. Performance Bond – Submitted/Approved			
(If Required - Road and Storm Drain Only)	Const. Insp.	(S)	6.06.08
6. Inspection Fees - Calculated and Paid	Const. Insp.	(S)	6.06.08
7. Final Plat Fee - Calculated and Paid	Planning	JBT	11/7/07
8. TIP Fees: <u>Due prior to building permit</u>	Planning	N/A	N/A
9. Parks Mitigation Fees: <u>Due prior to building permit</u>	Planning	N/A	N/A
10. School District Mitigation Fees: <u>Due prior to BE</u>	Planning	N/A	N/A
11. Signage and Striping Installed <u>(PERFORMANCE)</u>	Const. Insp.	(S)	6.06.08
12. Final Grading and TESC Inspection	Const. Insp.	Emp. Co.	6.06.08

13. Satisfied Hearing Examiner's Conditions of Approval	Planning	<i>7/24</i>	<i>6/6/08</i>
14. Utility/Recovery/Main Fees	Land Dev.	<i>209</i>	<i>6/6/08</i>

Plat Approved for Recording:

Community Development Director: *Jim Duval*

Date: *6-9-08*

City Engineer: *[Signature]*

Date: *6-9-08*

Note: The final plat will not be scheduled before the City Council until this checklist is complete.

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 23, 2008

AGENDA ITEM: Hotel/Motel Tax Grant Program	AGENDA SECTION: Consent	
PREPARED BY: Tracy Jeffries, Asst. Admin. Services Director	AGENDA NUMBER:	
ATTACHMENTS: 1. Hotel/Motel Committee Meeting Minutes	APPROVED BY:	
	MAYOR	CAO
BUDGET CODE: 10500030.549000	AMOUNT: \$25,099	

The members of the Hotel/Motel Committee met at City Hall on Thursday, May 29, 2008, led by Committee Chair/Councilmember Lee Phillips, and reviewed seven applications and the scoring results for the funding requests from the Hotel/Motel Tax Grant applicants. In accordance with Resolution No. 1990, Hotel/Motel Tax Policy and RCW Title 67.28. the Committee recommends distribution of the Hotel/Motel funds as follows: \$7,000 to Maryfest for costs associated with festival promotion, i.e. televised broadcast, newspaper, radio and misc. advertising; \$2379 to Marysville Historical Society for costs associated with the purchase of freestanding display racks that will allow for photo display; \$1,075 to City of Marysville for advertisement in the Snohomish County Visitors Guide; \$2,195 to the City of Marysville for advertisement in Marysville Tulalip Chamber of Commerce/VIC map; \$3,450 to Marysville Kiwanis Club to fund Holiday banners on State street; \$4,000 to Snohomish County Tourism Bureau's Services for costs associated with providing resources for the visitor information centers; \$5,000 to Production Sports for costs associated with the 2008 Skate America Event.

RECOMMENDED ACTION: The Hotel/Motel Committee recommends the City Council authorize the allocation of the Hotel/Motel tax revenues as follows: \$7,000 to Maryfest; \$2,379 to Marysville Historical Society; \$1,075 to City of Marysville (Snohomish County Visitor Guide); \$2,195 to City of Marysville (Chamber of Commerce/Village Profile Maps); \$3,450 to Marysville Kiwanis Club; \$4,000 to Snohomish County Tourism Bureau's Services; \$5,000 to Production Sports.
COUNCIL ACTION:

Hotel/Motel Committee Minutes
May 29, 2008
Marysville City Hall

Present: Councilmember Lee Phillips, Mary Kirkland, representing Downtown Merchants; Andy Tift, Holiday Inn Express General Manager; Tracy Jeffries, Asst. Admin. Services Director

Lee Phillips called the meeting to order at 12:40 p.m.

The committee members reviewed and submitted their scoring packets for the seven applications that were received by the following organizations:

1. Maryfest: Wish Upon a Berry, Advertisement for Strawberry Festival (\$7000);
2. Marysville Historical Society: Museum Exhibit Upgrade (\$2379);
3. City of Marysville: Chamber of Commerce Profile Maps (\$2195);
4. City of Marysville: Advertisement in the Snohomish County Visitors Guide (\$1075);
5. Marysville Kiwanis Club: Marysville Gateways Holiday Banners (3450);
6. Snohomish County Tourism Bureau: Visitor's Information Services Program (\$4000);
7. Production Sports: 2008 Skate America (\$5000).

Lee Phillips indicated the purpose was to discuss the Hotel/Motel scoring results and make a recommendation to City Council for distribution of funds. He noted that the City has approximately \$46,000 available to disburse this year. Tracy Jeffries informed the committee that Carol Kapua was out of town but had submitted her scoring packet along with a letter regarding her concern with Production Sports. The committee reviewed Carol's letter. Andy Tift informed that their event could bring in up to 60,000 people and that he had already been contacted by the Tulalip Casino regarding hotel overflow. He expects his hotel and others in the area will be full due to the event. Lee Phillips informed that he checked their website and said that many of the Marysville hotels were listed. He suggested that they be contacted and request them to add the Marysville Chamber of Commerce link to their website.

The committee discussed possibly adding or changing some of the questions in the scoring packet to get at how the projects directly benefit the City of Marysville better. Lee Phillips said he would give it some thought and might email some suggestions to the committee members to look at incorporating into the scoring packet next year.

Mary Kirkland asked if the applicants were eligible for grant funds in they were not a non-profit organization. She noted that Kiwanis indicated in their application that they are not registered as a non-profit with the State. Tracy

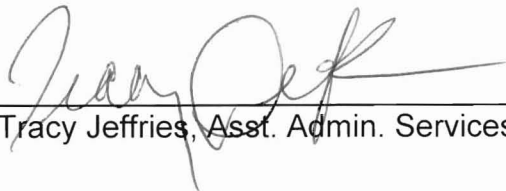
Jeffries informed she would ask the City Attorney to review the application and determine if they were eligible for funds.

Mary Kirkland asked how long we could hold funds that had been previously awarded and had not asked for reimbursement. The committee asked Tracy Jeffries to inform them of the applicants that still had funds but had not yet asked for reimbursement. Tracy Jeffries informed the committee of these applicants and reported that she had made contact with each of them and had been informed that they would be submitting their reimbursement. The committee requested Tracy Jeffries to send a letter to each applicant informing that the reimbursement must be made before the end of 2008 or the funds would be rolled back into the fund for next year. The committee also requested that when the funds were awarded for this year's applicants that they be informed that they must submit reimbursement before the end of 2009 or the funds would roll back into the account. The committee decided that Grant funds awarded to an applicant must submit their reimbursement request by end of the next calendar year, i.e. applicant awarded funds June of 2009 must request reimbursement by December 31, 2010.

Mary Kirkland moved to fund all applicants, Andy Tift seconded and the Committee as a whole recommended that the City Council award each applicants requested amount for a total of \$25,099.00.

Tracy Jeffries informed that the committee's recommendations would go before City Council in June.

With no further business to discuss, the meeting was adjourned at 1:05 p.m.



Tracy Jeffries, Asst. Admin. Services Director

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 23, 2008

AGENDA ITEM: International Fire Code, 2006 Edition	AGENDA SECTION:	
PREPARED BY: David VanBeek, Interim Fire Marshal	AGENDA NUMBER:	
ATTACHMENTS: Proposed Ordinance for 2006 International Fire Code.	APPROVED BY:	
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

The State of Washington Building Code Council adopted the 2006 International Fire Code effective July 1, 2007. Local jurisdictions, including Marysville, are required to adopt any local amendments with their own specific adopting ordinance.

Attached is a list of the significant changes from the current code that are proposed.

Attached is a copy of the proposed Chapter 9 MMC.

RECOMMENDED ACTION: Authorize the Mayor to sign the ordinance approving the revisions to Chapter 9.

COUNCIL ACTION:



Marysville Fire District



FIRE PREVENTION DIVISION

1635 Grove Street
Marysville, WA 98270
www.marysvillewa.gov/fire
marysvillefiredistrict.com

Phone 360 363-8508
FAX 360 659-1382
Headquarters 360 363-8500
dvanbeek@marysvillewa.gov

This is a list of the significant changes being proposed in our local adoption of the 2006 edition of the International Fire Code from what was adopted by the State of Washington.

1. Change the maximum size of a building that can be built without a sprinkler system, from 10,000 sq. ft. to 8,000 sq. ft., reflecting like changes that were approved by council action in the 2006 International Building Code adoption.
2. Increase the width of an emergency vehicle access road from 20' to 26' when it is within 20' of a fire hydrant or fire department connection.
3. Increase the width and changed the design of emergency vehicle access roads for new buildings taller than 30' to allow the best utilization of aerial fire apparatus.
4. Require that new residential developments with 30 or more dwelling units shall have more than one fire apparatus access road, or all dwellings units shall be provided with an automatic sprinkler system.
5. Gates newly installed in a residential community shall be equipped with a strobe activation device and shall have a minimum opening of 20'.
6. Split entries to plats, short plats, and commercial developments shall have lane widths of at least 14'.
7. Added requirements for adequate radio coverage in large buildings. This is for the 800 MHz radio systems now used by police and fire.
8. Added a requirement to provide automatic sprinkler systems in all Group S-1 mini-storage occupancies.

If you have any questions, or desire any explanation of the impact of these significant changes, please give me a call. I will be available to attend the council work session on Monday evening June 16th.

Thank you for your consideration,

David VanBeek, Interim Fire Marshal

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON ADOPTING BY REFERENCE THE INTERNATIONAL FIRE CODE 2006 EDITION AND ADOPTING AMENDMENTS TO SECTIONS OF THE INTERNATIONAL FIRE CODE ; AND PROVIDING FOR SEVERABILITY.

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

Section 1. Marysville Municipal Code Chapter 9.04 is amended to read as follows:

**Chapter 9.04
FIRE CODE**

Sections:

[9.04.010](#) Adoption by reference.

[9.04.020](#) Establishment and duties of bureau of fire prevention.

[9.04.030](#) Definitions.

[9.04.040](#) Flammable or combustible liquid storage limits.

[9.04.050](#) *Repealed.*

[9.04.060](#) *Repealed.*

[9.04.070](#) Additional amendments to International Fire Code.

[9.04.071](#) Additional sections of International Fire Code adopted.

[9.04.072](#) International Fire Code provision not adopted.

[9.04.072.1](#) **International Fire Code Section 503.2.1-Dimensions.**

[9.04.073](#) International Fire Code Section 503.2.3 amended – Access – Surfacing.

[9.04.074](#) International Fire Code Section 503.2.4 amended – Access – Turning radius.

[9.04.075](#) International Fire Code Section 503.2.5 amended – Access – Turnarounds.

[9.04.076](#) International Fire Code Section 503.2.7 amended – Access – Gradients.

[9.04.076.1](#) International Fire Code, new section 503.1.4, Aerial Fire Apparatus Access Roads

[9.04.076.2](#) International Fire Code, new section 503.1.5, One or two-family dwelling residential developments.

[9.04.076.3](#) International Fire Code Section 503.5 amended-Required gates or barricades.

[9.04.076.4](#) International Fire Code Section 503.6 amended-Gates accessing residential developments.

[9.04.076.5](#) International Fire Code Section 503.7, new section. Split entries.

[9.04.076.6](#) International Fire Code Section 602, new definition added.

[9.04.076.7](#) International Fire Code Section 505.1 amended.

[9.04.077](#) International Fire Code Section 508.3 amended.

[9.04.077.1](#) International Fire Code Section 511 added.

[9.04.078](#) International Fire Code Section 903.4.1 amended – Central stations.

[9.04.079](#) International Fire Code Section 903.2.1 amended – Sprinkler systems – Group A occupancies.

[9.04.080](#) International Fire Code Section 903.2.2 amended – Sprinkler systems- Group E occupancies.

[9.04.081](#) International Fire Code Section 903.2.3 amended – Sprinkler systems – Group F occupancies.

[9.04.082](#) *Repealed.*

[9.04.083](#) International Fire Code Section 903.2.6 amended – Sprinkler systems – Group M and B occupancies.

[9.04.084](#) International Fire Code Section 903.2.7 amended – Sprinkler systems – Group R occupancies.

[9.04.085](#) International Fire Code Section 903.2.8 amended – Sprinkler systems – Group S occupancies.

[9.04.086](#) International Fire Code Section 902 amended.

[9.04.087](#) International Fire Code appendices adopted.

[9.04.090](#) International Fire Code Section 903.2 amended – Where required.

[9.04.095](#) Additional sections of International Fire Code adopted.

[9.04.100](#) Penalties.

9.04.010 Adoption by reference.

Certain documents, copies of which are on file in the office of the clerk of the city of Marysville, entitled “International Fire Code, ~~2003~~ **2006** Edition,” published by the International Code Council, with amendments as adopted by the Washington State Building Code Council are adopted as the fire code of the city of Marysville (hereinafter sometimes referred to as the “fire code”) for the purpose of prescribing regulations for the safeguarding of life and property from the hazards of fire and explosion. Except as otherwise specifically amended herein, or by later ordinance, each and all of the regulations, provisions, penalties, conditions and terms of said code and standards are incorporated and made part of this chapter as if fully set forth herein. (Ord. 2532 § 1, 2004; Ord. 2378 § 1, 2001).

9.04.020 Establishment and duties of bureau of fire prevention.

- (1) The International Fire Code shall be enforced by the bureau of fire prevention in the fire department of Marysville which is established and which shall be operated under the supervision of the chief of the fire department.
- (2) The fire marshal in charge of the bureau of fire prevention shall be the chief of the fire department of Marysville, or any qualified person designated by the chief.
- (3) The chief of the fire department may detail such members of the fire department as inspectors as shall from time to time be necessary. (Ord. 2532 § 2, 2004; Ord. 850 § 2, 1975).

9.04.030 Definitions.

- (1) Wherever the word “jurisdiction” is used in the International Fire Code, it means the city of Marysville.
- (2) “Commercial occupancy” means groups A, B, E, H, F, I (except adult family homes as defined in Chapter 70.128 RCW), M, R-1, R-2, R-4 and S occupancies as defined in Section 202

– Occupancy Classifications of the International Fire Code, ~~2003~~**2006** Edition. (Ord. 2532 § 3, 2004; Ord. 2378 § 2, 2001; Ord. 850 § 3, 1975).

9.04.040 Flammable or combustible liquid storage limits.

The storage of Class I, II and III-A liquids in aboveground tanks exceeding 26,000 gallons individual or 78,000 gallons aggregate capacity is prohibited within the corporate limits of the city of Marysville. Storage shall be limited to horizontal-tanks only. This language shall replace the language of International Fire Code Sections [3404.2.9.5.1](#) and [3406.2.4.4](#). (Ord. 2532 § 4, 2004; Ord. 2378 § 3, 2001; Ord. 1373 § 2, 1984; Ord. 1082 § 2, 1979; Ord. 850 § 4, 1975).

9.04.050 Liquefied petroleum gas storage limits.

Repealed by Ord. 2378. (Ord. 1947 § 2, 1993; Ord. 1082 § 3, 1979; Ord. 850 § 5, 1975).

9.04.060 Explosives and blasting agent storage limits.

Repealed by Ord. 2532. (Ord. 2378 § 5, 2001; Ord. 1947 § 3, 1993; Ord. 1082 § 4, 1979; Ord. 850 § 6, 1975).

9.04.070 Additional amendments to International Fire Code.

The additional amendments to the fire code in MMC [9.04.071](#) through [9.04.087](#) are enacted. (Ord. 2532 § 7, 2004; Ord. 2378 § 6, 2001).

9.04.071 Additional sections of International Fire Code adopted.

Sections 503.1 shall be adopted as written, sections 503.1.1 503.1.2 503.1.3 503.2, 503.3, and 503.4, being sections of the International Fire Code (~~2003~~**2006** Edition) not adopted by the Washington State Building Code Council, are hereby adopted and enacted in the city of Marysville. (Ord. 2532 § 7, 2004; Ord. 2378 § 6, 2001. Formerly 9.04.070(1)).

9.04.072 International Fire Code provision not adopted. Section 508.5.1 is not adopted. Fire hydrant locations to be installed per MMC [14.03.050](#). (Ord. 2532 § 7, 2004; Ord. 2378 § 6, 2001. Formerly 9.04.070 (2)).

9.04.072.1 International Fire Code Section 503.2.1-Dimensions.

Section 503.2.1 is amended to add: “Where a fire hydrant or fire department connection is located on a fire apparatus access road, the minimum road width shall be increased to 26’, extending 20’ on either side of a fire hydrant or fire department connection

9.04.073 International Fire Code Section 503.2.3 amended– Access – Surfacing.

Section 503.2.3 adopted by MMC 9.04.071 is further amended to add an additional sentence reading as follows: “The surface shall be entirely composed of gravel, crushed rock, asphalt or concrete, and designed to support the imposed load of fire apparatus weighing at least 75,000 pounds.”

(Ord. 2532 § 7, 2004; Ord. 2378 § 6, 2001. Formerly 9.04.070(3)).

9.04.074 International Fire Code Section 503.2.4 amended– Access – Turning radius.

Section 503.2.4 adopted by MMC 9.04.071 is further amended to add an additional sentence reading as follows: “A turning radius will be approved only if it is in accordance with the Engineering Design and Development Standards for the City of Marysville.” (Ord. 2532 § 7, 2004; Ord. 2378 § 6, 2001. Formerly 9.04.070(4)).

9.04.075 International Fire Code Section 503.2.5 amended– Access – Turn arounds.

Section 503.2.5 adopted by MMC 9.04.071 is further amended to add an additional ~~two~~ three sentences reading as follows: “Turn arounds shall be a minimum eighty (80) foot diameter cul-de-sac with no obstructions within the cul-de-sac. Planters may be installed in cul-de-sacs when the outside radius of the cul-de-sac is a minimum of 50 (fifty) feet and inside radius is minimum of 25 (twenty five) feet. An approved hammerhead turn around may be used if there are no alternatives, and it is approved by the Fire Chief.”

(Ord. 2532 § 7, 2004; Ord. 2378 § 6, 2001. Formerly 9.04.070 (5)).

9.04.076 International Fire Code Section 503.2.7 amended– Access – Gradients.

Section 503.2.7 adopted by MMC 9.04.071 is further amended to add an additional sentence reading as follows: “A gradient will be approved only if it is in accordance with the Engineering Design and Development Standards for the City of Marysville.” (Ord. 2532 § 7, 2004; Ord. 2378 § 6, 2001. Formerly 9.04.070(6)).

9.04.076.1 International Fire Code, new section 503.1.4, Aerial Fire Apparatus Access Roads

503.1.4 Where Required. Buildings or portions of buildings or facilities exceeding 30 feet (9144MM) in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.

503.1.4.1 Width. Fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm) in the immediate vicinity of any building or portion of building more than 30 feet (9144 mm) in height.

503.1.4.2 Proximity to building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building.

9.04.076.2 International Fire Code, new section 503.1.5, One or two-family dwelling residential developments.

503.1.5 Developments of one or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with separate and approved, unobstructed fire apparatus access roads and shall be placed a distance apart equal to not less than one half of the length of maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

Exceptions:

1. Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

9.04.076.3 International Fire Code Section 503.5 amended-Required gates or barricades.

Amend by adding “Entrances to roads, trails or other access ways which have been closed with gates and barriers shall not be obstructed by parked vehicles.

9.04.076.4 International Fire Code Section 503.6 amended-Gates accessing residential developments.

Gates installed in a residential community shall be equipped with a strobe activation device. Minimum gate width opening shall be 20 feet. The gate is required to open automatically with the approach of emergency vehicles. In the event of a loss of power, the gate shall open automatically and remain in the open position until power is restored. The gate shall remain in the open position until such time that the power is restored.

Exemption: 5 or fewer dwelling units.

9.04.076.5 International Fire Code Section 503.7, new section. Split entries.

Split entries to plats, short plats, commercial development and other sites requiring emergency vehicle access, shall be allowed where each aisle (lane) is at least 14 (fourteen) feet in width.

9.04.076.6 International Fire Code Section 602, new definition added.

Power Tap means a listed device for indoor use consisting of an attachment plug on one end of a flexible cord and two or more receptacles on the opposite end, and has overcurrent protection.

9.04.076.7 International Fire Code Section 505.1 amended.

Section 505.1 is amended to add the following:

1. Address numbers for commercial buildings to be a minimum of six inches high with a principal stroke of at least three-quarters inch.
2. Where the building is not visible from the street or a single access road or private roadway serves more than one building, provision shall be made to clearly identify which driveway or roadway serves the appropriate address.
3. Address numbers at least four inches high shall be prominently displayed on rear entrance or access doors when required by the fire code official.
4. Interior and exterior access doors or individual dwelling, housekeeping, living units, or commercial tenant spaces also shall be clearly marked. Numbers and/or letters of such units shall be a least four inches high.

5. Address Numbering Size Table

<u>Distance for road or Fire Lane</u>	<u>Minimum Size</u>
<u>0-50 feet</u>	<u>4"</u>
<u>51-100 feet</u>	<u>6"</u>
<u>101-150 feet</u>	<u>8"</u>
<u>151-200 feet</u>	<u>10"</u>
<u>201-300 feet</u>	<u>12"</u>
<u>301feet and up</u>	<u>18"</u>

Four inch numbers are permitted for single-family and duplex occupancies only. The minimum size figure for commercial occupancies is six inches. The height to width ratio of the figures shall be approximately 2H:1W.

9.04.077 International Fire Code Section 508.3 amended.

- (1) Replace “by an approved method” with “per Appendix B of the International Fire Code.”
- (2) Exceptions. Section 508.3 is amended to add two exceptions reading as follows:

EXCEPTIONS:

- (1) Subdivisions and short subdivisions in which all lots have a lot area of 43,560 square feet (one acre) or more in size;
- (2) Structures where under the International Building Code the occupancy is classified as group U occupancies (agricultural buildings, private garages, carports and sheds) that are restricted to private residential use only. Riding arenas or other agricultural structures used or accessed by the general public shall not fall within this exception.

(Ord. 2532 § 7, 2004; Ord. 2378 § 6, 2001. Formerly 9.04.070(7)).

9.04.077.1 International Fire Code Section 511 added.

Chapter 5 of the IFC, entitled “Fire Service Features,” is hereby amended by the addition of the following Section 511:

SECTION 511
EMERGENCY RADIO SYSTEMS

511.1 General. The Snohomish County Emergency Radio System (SERS) wireless communications networks are essential to the health, safety, and welfare of the citizens of Marysville by providing communications for law enforcement activities, for emergency medical treatment, for fire suppression, for carrying on the business of government, and for providing communications in time of disasters. It is the intent of this section to ensure the uninterrupted operation of City of Marysville public safety, other emergency-related and county operational or planned wireless communications networks inside new and existing structures in the City of Marysville.

511.2 Definitions.

“ADEQUATE RADIO COVERAGE” is as specified in Section 511.4 below.

“BUILDING OWNER” means the person responsible for making final decisions relating to additions or modifications to the building. “Building owner” may include a building owner's property manager or agent.

“PERSON” includes individuals, corporations, limited liability companies, associations and other forms of business organization.

“SUBSTANTIALLY ALTER” means to modify a structure when such modifications could degrade SERS performance, either in the structure, or in the context of the current or planned SERS microwave paths.

“CELLULAR TELEPHONE JAMMER” means transmitters that are specifically intended to disrupt the reception of cellular telephone signals in the frequency range of 800 MHz to 900 MHz. Such devices may interfere with the proper operation of public safety radio systems operating at 800 MHz.

511.3. Applicability.

511.3.1 No person shall erect, construct, change the use of, or substantially alter, any building or structure or any part thereof, or cause the same to be done which fails to support adequate radio coverage for (SERS). Underground structures, whether separate or adjoining other structures, are required to comply with the requirements of this section. Parking structures and stairwells are included in the definition of "building" and stairwell shafts and elevators are included in the definition of "all parts of a building".

Exceptions: This section shall not apply to buildings less than 5,000 gross square feet or any building constructed of wood frame, as long as none of the aforementioned buildings make use of any metal frame construction, high radio frequency attenuation glazing and window frames, or any below-grade storage or parking areas.

511.3.2 Any person required to maintain adequate radio coverage as specified in Section 511.3.1 above shall provide prior written notification to the SERS System Manager at the time a building permit application is submitted to the city of Marysville. Written evidence of such prior written notification shall be given to the city of Marysville Building Official before a building permit application will be accepted.

511.3.3 Persons constructing new or remodeled facilities which include systems intended for providing in-building service for other wireless services shall make provision for including public safety radio signals into such system. This capability shall at a minimum include provision of bi-directional amplification as required. This requirement shall apply to structures of all sizes whenever such in-building wiring or services are to be provided.

511.3.4 No person shall install in buildings of any type or size devices specifically intended to prevent the reception of signals intended for cellular telephones, pagers, wireless communications devices, or public safety radios.

511.3.5 No person shall install or use building materials specifically marketed or engineered to prevent the ingress of radio signals, except where such materials may be required to shield laboratory or research facilities. Use of any such materials in laboratory or research facilities shall be clearly noted in any construction permit application documents and written notification of the use of any such materials shall be provided to SERS at the time of permit application submittal. Signs notifying occupants, emergency services and law enforcement personnel of such shielding conditions shall be conspicuously posted both at the entrance and on the interior of such areas.

511.4. Performance. A study shall be prepared and reviewed prior to plan approval that demonstrates that the signal levels within the proposed structure meet or exceed the criteria established below. When measuring the performance of a bi-directional amplifier, signal strength measurements are based on an input signal from the SERS system adequate to obtain a maximum continuous operating output level. Multiple carrier environments shall take into account the presence of non-SERS signals in the design of the amplifier system. Adequate Radio Coverage shall include all of the following measurement requirements:

1. A minimum signal strength of -95 dBm available in 90% of the area of each floor of the building when transmitted to a belt-worn portable radio equipped with a speaker microphone, from the closest SERS site;
2. A minimum signal strength of -95 dBm received at the closest SERS site when transmitted from a belt-worn portable radio equipped with a speaker microphone from 90% of the area of each floor of the building;
3. The frequency ranges which must be supported shall be 746 - 824 MHz and 851-869 MHz; and
4. The signal strengths shall be present at a 100% reliability factor at the -95 dBm level.

511.5. Amplification Systems

511.5.1 Buildings and structures that cannot support adequate radio coverage, as identified, shall be equipped with either a radiating cable system or an internal multiple antenna system with FCC type accepted bi-directional amplifiers as needed.

511.5.2 If any part of the installed system or systems contains an electrically powered component, the system shall be capable of operating on an independent battery system for a period of at least twelve (12) hours without external power input. The battery system shall automatically charge in the presence of an external AC power input.

511.5.3 SERS may require that bi-directional amplifiers include filters to reduce adjacent band frequency interference at least 35 dB below the channels placed in operation by SERS. Consultation with the SERS System Manager shall be required to determine if the specific installation requires this additional filtering.

511.5.4 The SERS System Manager shall be notified two weeks in advance of when an amplification system is installed and operational.

511.6 Alternative methods. Other acceptable methods of providing in-building coverage may also include construction of low-power 'filler' trunked radio sites that are integrated into the SERS. These alternative approaches may be considered where the use of bi-directional amplifiers proves impractical. Such alternative methods will require the involvement of SERS representatives in the design process. The requirements established by Sections 511.4, 511.5.2, 511.5.3, and 511.5.4 apply to any such alternate methods.

511.7 Additional requirements for new construction or substantial revisions to structures. Any person who constructs or develops a commercial or industrial building or structure of any size and type of construction that is likely to attenuate radio frequency signals shall provide two-inch non-conductive raceways in the walls into which radiating or coaxial cable may be laid. Such raceways shall include an easily accessible opening to the roof surface that allows for placement of an exterior antenna and riser access within the building core to each floor within the structure.

511.8 Initial Inspection and Signal Strength Acceptance Test Procedures.

511.8.1 When an engineering study performed for the building contractor or owner has determined that an in-building radio system is required, and upon completion of installation, it will be the building owner's responsibility to have the radio system tested to ensure that two-way communications coverage on each floor of the building meets the requirements established in Sections 511.4 and 511.5. Each floor of the building shall be divided into a grid of approximately 20 equal areas. A maximum of two nonadjacent areas will be allowed to fail the test by not meeting the minimum signal levels established in Section 511.4. Testing of parking garages, stairwells, and non-enclosed areas will be performed as separate tests with statistics gathered separately for signal levels in the primary structure and parking areas. Signal levels shall meet the requirements of Section 511.4 for all areas enclosed by the structure and statistical methods shall not be used to dilute the intent of the coverage requirements established in Section 511.4.

511.8.2 In the event that three of the areas fail the test, in order to be more statistically accurate, the floor may be divided into 40 equal areas. In such an event, a maximum of four nonadjacent areas will be allowed to fail the test. After the 40 area test, if the system continues to fail, the building owner shall have the system altered to meet the coverage requirement established in Section 511.4.

511.8.3 The test shall be conducted using a SERS approved portable radio, communicating through the SERS as specified by the authority having jurisdiction. A spot located approximately in the center of a grid area will be selected for the test, then the radio transmitter will be activated to verify two-way communications to and from the outside of the building through the SERS system. Once the spot has been selected, prospecting for a better spot within the grid area will not be permitted.

511.8.4 The gain values of all systems used to support the signal level requirements of Section 511.4 shall be measured and the test measurement results shall be kept on file with the building owner so that the measurements can be verified each year during the annual tests. In the event that the measurement results became lost, the building owner will be required to rerun the acceptance test to re-establish that the facility provides the signal levels established in Section 511.4.

511.9 Annual equipment condition testing.

511.9.1 When an in-building radio system is required, the building owner shall test all active components of the system, including but not limited to amplifiers, power supplies, backup batteries, and related equipment, a minimum of once every 12 months. Amplifiers shall be tested to ensure that the gain is the same as it was upon initial installation and acceptance. These annual tests shall apply to both the bi-directional amplifier method of enhancing signal strength, as well as to any alternative methods that might be employed. The building owner shall notify the SERS System Manager in writing two (2) weeks in advance of when annual tests occur, and shall also notify SERS and the Fire Code Official by certified mail of the results of the test. Test records shall be retained on the inspected premises by the building owner.

511.9.2 Backup batteries and power supplies shall be tested under full load for a period of one hour to verify that, they will properly operate during an actual power outage. If within the one-hour test period, in the opinion of the testing technician, the battery exhibits symptoms of failure, the test shall be extended for additional one-hour period until the testing technician confirms the integrity of the battery. Alternative load testing which places a higher short-term demand on the battery system may be required upon verbal request by the testing technician. Batteries which fail the load test shall be replaced and retested within 10 working days.

511.9.3 All other active components shall be checked to determine that they are operating within the manufacturer's specifications for the intended purpose.

511.10 Five year signal strength testing.

511.10.1 In addition to the annual test, the building owner shall perform a radio coverage test a minimum of once every five years to ensure that the radio system continues to meet the signal strength requirements of the original acceptance test. The signal levels established in Section 511.4 and the procedures established in Section 511.8 shall apply to such tests. The results of the five-year test will be provided to SERS and the Fire Code Official by certified mail. Test records shall also be retained on the inspected premises by the building owner.

511.10.2 The building owner shall notify the SERS System Manager in writing two weeks in advance of the initial, annual, and five-year tests.

511.11 Qualifications of testing personnel. Tests shall be conducted, documented and signed by a person in possession of a current FCC license, or a current technician certification issued by the Associated Public-Safety Communications Officials International (APCO), the Personal Communications Industry Association (PCIA), or a technician employed by SERS.

511.12 Field testing. Public safety personnel, after providing reasonable notice to the building owner or his representative, shall have the right to enter onto the property to conduct ad-hoc field testing to be certain that the required level of radio coverage is present.

9.04.078 International Fire Code Section 903.4.1 amended– Central stations.

Section 903.4.1 is amended to delete the language reading “an approved central station, remote supervising station or proprietary supervising stations as defined in NFPA 72 or, when approved by the fire code official, shall sound an audible signal at a constantly attended location” and to substitute and enact language reading “a U.L. Listed Central Station.” (Ord. 2532 § 7, 2004; Ord. 2378 § 6, 2001. Formerly 9.04.070(8)).

9.04.079 International Fire Code Section 903.2.1 amended– Sprinkler systems – Group A occupancies.

Section 903.2.1.1 Item 1. Replace 12,000 with ~~10,000~~. 8,000

Section 903.2.1.3 Item 1. Replace 12,000 with ~~10,000~~. 8,000

Section 903.2.1.4 Item 1. Replace 12,000 with ~~10,000~~. 8,000

(Ord. 2532 § 7, 2004; Ord. 2377 § 2, 2001).

9.04.080 International Fire Code Section 903.2.2 amended - Sprinkler systems – Group E occupancies.

An automatic sprinkler system shall be provided for Group E Occupancies.

Delete items 1 and 2, and the Exception, and replace them with the following:

EXCEPTIONS:

1. Portable school classrooms, provided aggregate area of any cluster or portion of a cluster of portable school classrooms does not exceed 5,000 square feet; and clusters of portable school classrooms shall be separated as required in Chapter 5 of the building code.

2. Group E Occupancies with an occupant load of 50 or less.

~~Section 903.2.2 Item 1. Replace 20,000 with 10,000 (Ord. 2532 § 7, 2004; Ord. 2377 § 3, 2001).~~

9.04.081 International Fire Code Section 903.2.3 amended– Sprinkler systems – Group F-1 occupancies.

Section 903.2.3 Item 1. Replace 12,000 with ~~10,000~~ 8,000.

Section 903.2.3 Item 3. Replace 24,000 with ~~10,000~~ 8,000.

Section 903.2.3 Item 4. Where a Group F-2 fire area exceeds 8,000 square feet.

(Ord. 2532 § 7, 2004; Ord. 2377 § 4, 2001).

9.04.082 UFC Section 100.3.2.6.1 amended– Fire extinguishing systems – Group H occupancies. Repealed by Ord. 2532. (Ord. 2377 § 5, 2001).

9.04.083 International Fire Code Section 903.2.6 amended– Sprinkler systems – Group M and B occupancies.

Section 903.2.6 Item 1. Add B after M and change 12,000 to ~~10,000~~ 8,000.

Section 903.2.6 Item 2. Add B after M.

Section 903.2.6 Item 3. Add B after M and change 24,000 to ~~10,000~~ 8,000.

(Ord. 2532 § 7, 2004; Ord. 2377 § 6, 2001).

9.04.084 International Fire Code Section 903.2.7 amended– Sprinkler systems – Group R occupancies.

Amend Section 903.2.7 to add: “Townhouses constructed in a group of five or more attached units shall be protected with an automatic sprinkler system per 903.3.1.3.”

(Ord. 2532 § 7, 2004; Ord. 2377 § 7, 2001).

9.04.085 International Fire Code Section 903.2.8 amended– Sprinkler systems – Group S occupancies.

Amend Section 903.2.8 by deleting S-1 and replacing it with “S.”

Section 903.2.8 Item 1. Replace 12,000 with ~~10,000~~ 8,000.

Section 903.2.8 Item 3. Replace 24,000 with ~~10,000~~ 8,000.

Section 903.2.8.1 Item 2. Replace 12,000 with ~~10,000~~ 8,000.

Section 903.2.8.1 add item 4: “Repair garages where the use of open flame or welding is conducted with a fire area exceeding 3,000 square feet.”

Section 903.2.8.1 add item 5. Where a Group S-2 fire area exceeds 8,000 square feet.

Section 903.2.8.1 add item 6. In all Group S-1 mini-storage occupancies.

(Ord. 2532 § 7, 2004; Ord. 2377 § 8, 2001).

9.04.086 International Fire Code Section 902 amended.

The definition of fire area is amended by adding: “For Section 903, the definition of FIRE AREA shall be as follows: The aggregate floor area enclosed and bounded by exterior walls of a building.” (Ord. 2532 § 7, 2004; Ord. 2377 § 9, 2001).

9.04.087 International Fire Code appendices adopted.

If not elsewhere enacted the following appendices of the International Fire Code are hereby adopted and enacted by this subsection and reference: B. (Ord. 2532 § 7, 2004; Ord. 2378 § 6, 2001. Formerly 9.04.070(9)).

9.04.090 International Fire Code Section 903.2 amended– Where required.

Amend Section 903.2 by adding items:

Existing buildings altered such that the total fire area square footage exceeds ~~10,000~~ the threshold square feet footage for each occupancy group listed in this section shall be provided with an automatic sprinkler system. Where there is a change-of-occupancy classification in an existing building, the sprinkler requirements for the new occupancy classification shall apply.

An automatic sprinkler system shall be provided throughout buildings where the combined area of all fire areas on all floors, including any mezzanines, exceeds 10,000 the threshold square feet footage for each occupancy group listed in this section.

(Ord. 2532 § 8, 2003).

9.04.095 Additional sections of International Fire Code adopted.

New Section 401.3.4 Excessive False Alarms, Penalty Imposed.

No more than three false alarms from any location shall be permitted within any calendar year. The owner or operator of any location from which more than three false alarms are sent within any calendar year shall be subject to the imposition of a criminal penalty pursuant to MMC [9.04.100](#).

(Ord. 2532 § 9, 2003).

9.04.100 Penalties.

(1) Any person who violates any of the provisions of this code as adopted or fails to comply therewith, or who violates or fails to comply with any order made under this code, or who builds in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who fails to comply with such an order as affirmed or modified by the chief or by a court of competent jurisdiction within the time fixed in this chapter is severally, for each and every such violation and noncompliance respectively, guilty of a misdemeanor, punishable by a fine of not more than \$300.00 or by imprisonment for not more than 90 days, or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reason-able time; and when not otherwise specified, each 10 days that prohibited conditions are maintained constitutes a separate offense.

(2) The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions. (Ord. 2532 § 10, 2004; Ord. 850 § 10, 1975).

Section 2. Severability.

If any word, phrase, sentence, provision, or portion of this ordinance is declared to be invalid or unenforceable, it shall not affect validity or enforceability of the remaining words, phrases, sentences, provisions or portions of this ordinance.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2008.

CITY OF MARYSVILLE

By _____
DENNIS KENDALL, MAYOR

ATTEST:

By _____
TRACY JEFFRIES, CITY CLERK

Approved as to form:

By _____
GRANT K. WEED CITY ATTORNEY

Date of Publication: _____

Effective Date (5 days after publication): _____

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE:

AGENDA ITEM: Ordinance – International Building Code Revisions amending Ordinance 2708	AGENDA SECTION:	
PREPARED BY: Gloria Hirashima, Community Development Director	AGENDA NUMBER:	
ATTACHMENTS: 1. Draft Ordinance	APPROVED BY:	
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

In 2007, the City Council adopted Ordinance 2708 adopting revisions to Chapter 16 of the Marysville Municipal Code and adopting the International Building Code and International Residential Code by reference. Staff has identified need for revision in several of the existing code sections due to incorrect references and incorrect code references within the chapter. Therefore, a correcting ordinance has been prepared to address these revisions.

RECOMMENDED ACTION: Approve proposed ordinance.

COUNCIL ACTION:

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON AMENDING ORDINANCE 2708 AND AMENDING OR CORRECTING MARYSVILLE MUNICIPAL CODE CHAPTERS 16.04.040, 16.04.120 16.08,130, 16.12.050, 16.12.200 and 16.28.010; ADOPTING BY REFERENCE THE INTERNATIONAL BUILDING CODE AND INTERNATIONAL RESIDENTIAL CODE AND THE INTERNATIONAL BUILDING CODE STANDARDS 2006 EDITION, EXCLUDING THE INTERNATIONAL ELECTRICAL, PLUMBING, PROPERTY MAINTENANCE AND ENERGY CODES, CHAPTER 34 EXISTING BUILDINGS AND ADDING A NEW SECTION CODIFIED AS CHAPTER 16.12 THE NATIONAL ELECTRIC CODE; AND PROVIDING FOR SEVERABILITY.

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

Section 1. Marysville Muncipal Code Chapter 16.04 is amended to read as follows:

**Chapter 16.04
BUILDING CODE**

Sections:

[16.04.010](#) Adoption by reference, exclusions and exemptions.

[16.04.020](#) Amendments – Subsequent.

[16.04.030](#) Appendices adopted.

[16.04.035](#) Section 204 amended – Board of appeals.

[16.04.037](#) Section 502 Definitions amended – Story.

[16.04.040](#) Washington State Energy Code – Nonresidential Energy Code and Ventilation and Indoor Air Quality Code adopted.

[16.04.045](#) Sections 108 and 108.2 amended – IBC and IRC Fee Table 1-A and Table A-J-A adopted by reference.

[16.04.050](#) Section 108.2 amended – Plan review fees and refunds.

[16.04.060](#) Section 903.2.1 amended – Sprinkler systems – Group A Occupancies.

[16.04.070](#) Section 903.2.2 amended – Fire-extinguishing systems – Group E Occupancies.

[16.04.080](#) Section 903.2.3 amended – Sprinkler systems – Group F Occupancies.

[16.04.090](#) Section 903.2.4 amended – Fire-extinguishing systems – Group H Occupancies.

[16.04.100](#) Section 903.2.6 amended – Sprinkler systems – Group M Occupancies.

[16.04.110](#) Section 903.2.7 amended – Sprinkler systems – Group R Occupancies.

[16.04.120](#) Section 903.2.8 added – Sprinkler systems – Group S Occupancies.

[16.04.130](#) Section 903.2.14 added – Fire Barriers .

[16.04.140](#) Section 1018.2 & 505.3 amended – Number of exits.

[16.04.160](#) Requirements for moved buildings.

16.04.010 Adoption by reference, exclusions and exemptions.

(1) Certain documents, copies of which are on file in the office of the building official of the city of Marysville, being marked and designated as the “International Building Code and the International Residential Code, and the International Building Code Standards, 2006 Edition,” published by the International Code Council, except for the provisions in subsections (3) and (4) of this section, are adopted as the building code of the city of Marysville for regulating the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings or structures in the city of Marysville, providing for the issuance of permits and the collection of fees therefor, and providing for penalties for the violation thereof. Each and all of the regulations, provisions, penalties, conditions and terms of said code are incorporated and made a part of this chapter as if fully set forth in this chapter.

(2) IBC and IRC Section 101.1 Title. These regulations shall be known as the building code of the city of Marysville, Washington, hereinafter referred to as “this code.”

(3) Exclusions from Adoption by Reference. The following IBC 101.4 referenced codes are excluded and not adopted by reference as the building code for the city of Marysville:

101.4.1 Electrical

101.4.4 Plumbing

101.4.5 Property Maintenance

101.4.7 Energy

Chapter 34 Existing Buildings

(4) Work Exempt from Permits. For purposes of Marysville Municipal Code, both IBC and IRC Section 105.2, Work exempt from permit, are amended to read as follows:

Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any laws or ordinance of this jurisdiction. Permits shall not be required for the following:

Building:

1. One story detached accessory structure used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet.
2. Fences not over 6 feet high.
3. Oil derricks.
4. Retaining walls which are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons and ratio of height to diameter or width does not exceed 2 to 1.
6. Sidewalks, platforms, decks and driveways not more than 30 inches above grade and not over any basement or story below and which are not part of an accessible route.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to Group R-3 occupancy, as applicable in Section 101.2, which are less than 24 inches deep, do not exceed 5,000 gallons and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes and not including service systems.
11. Swings and other playground equipment accessory to detached one- and two-family dwellings.

12. Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support of Group R-3, as applicable in Section 101.2, and Group U occupancies.

13. Moveable cases, counters and partitions not over 5 feet 9 inches in height.

(Ord. 2523 § 1, 2004; Ord. 2204 § 1, 1998; Ord. 2062 § 1, 1996; Ord. 1948 § 1, 1993; Ord. 1475 § 1, 1986; Ord. 1375 § 1, 1984; Ord. 1076 § 1, 1979; Ord. 852 § 1, 1975).

16.04.020 Amendments– Subsequent.

All amendments or supplements to the International Building and Residential Codes hereinafter adopted by the International Code Council and by the state of Washington as part of the State Building Code shall become a part of this code in all respects insofar as it is applied and enforced within the jurisdictional boundaries of the city of Marysville. (Ord. 2523 § 1, 2004; Ord. 852 § 2, 1975).

16.04.030 Appendices adopted.

Appendices B, I and J, except Section J101.2 to the International Building Code, 2006 Edition, and only Appendices A, B, C, G, H, J and K to the International Residential Code, 2006 Edition, are adopted, incorporated by this reference, and made a part of this chapter as if fully set forth in this chapter. (Ord. 2658 § 1, 2006; Ord. 2523 § 1, 2004; Ord. 2204 § 2, 1998; Ord. 2062 § 2, 1996; Ord. 1948 § 2, 1993; Ord. 1475 § 2, 1986; Ord. 1375 § 2, 1984; Ord. 1076 § 2, 1979; Ord. 852 § 3, 1975).

16.04.035 Section 204 amended– Board of appeals.

Section 204 of the International Building Code is amended by adding the following additional subsection thereto:

(c) Procedure. An appeal to the Board of Appeals must be filed in writing within fifteen (15) days after the order, decision or determination of the building official which is being challenged. The filing fee shall be one hundred fifty dollars. Within twenty (20) days after the filing of an appeal the Board of Appeals shall hold a hearing on the same and shall render its decision. Continuances shall be allowed only with the consent of the appellant. The decision of the Board of Appeals shall be final on the date that it is reduced to writing and sent to the appellant, subject to the right of the appellant to file an appeal to the Snohomish County Superior Court within fifteen (15) days thereafter.

(Ord. 2523 § 1, 2004; Ord. 1766, 1990).

16.04.037 Section 502 Definitions amended– Story.

Section 502 of the International Building Code is amended at that paragraph entitled “Story” by adding the following paragraph:

If any portion of a basement or usable under-floor space in a group R occupancy consisting of five (5) units including townhomes, or more is used or intended to be used for human habitation or assemblage of person for any purpose, such basement or usable space shall be considered a story.

(Ord. 2523 § 1, 2004; Ord. 2100 § 1, 1996).

16.04.040 Washington State Energy Code– Nonresidential Energy Code and Ventilation and Indoor Air Quality Code adopted.

The Washington State Energy Code, ~~Chapters 51-11, 51-12 and 51-13 WAC~~, including the Nonresidential Energy Code, Chapter 51-11 WAC, and the Ventilation and Indoor Air Quality Code, Chapter 51-13 WAC, are each adopted and incorporated into and made a part of this chapter by reference. (Ord. 2523 § 1, 2004; Ord. 2062 § 3, 1996).

16.04.045 Sections 108 and 108.2 amended– IBC and IRC Fee Table 1-A and Table A-J-A adopted by reference.

The schedule of fees adopted in Table 1-A titled “Building Permit Fees” and Table A-J-A titled “Grading Plan Review Fees and Grading Permit Fees” of attached **Exhibit A Schedule of Fee Tables** are hereby adopted. (Ord. 2523 § 1, 2004).

16.04.050 Section 108.2 amended– Plan review fees and refunds.

Section 108.2 of the International Residential Code is amended to read as follows:

1. When a plan or other data are required to be submitted by Section 108, a plan review fee shall be paid at the time of submitting plans and specifications for review. Except as provided below, said plan review fee shall be 65 percent (65%) of the building permit fee as shown in 2006 IBC-IRC Table 1-A Building Permit Fees.
2. Sections 108.5 and 108.6 amended – Refunds. The building official may authorize refunding of not more than 70 (70%) percent of the plan review or permit fee paid when no review or work has been done. The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 90 days after the date of the fee payment.

(Ord. 2523 § 1, 2004; Ord. 2204 § 3, 1998; Ord. 2062 § 4, 1996; Ord. 1974 § 1, 1993).

16.04.060 Section 903.2.1 amended– Sprinkler systems – Group A Occupancies.

Section 903.2.1 of the International Building Code as enacted by the city and previously amended is hereby repealed and a new Section 903.2.1 is enacted to be added to the building code reading as follows:

Marysville Municipal Code Section 903.2.1 Group A Occupancies. An automatic sprinkler system shall be installed in all Group A Occupancies, other than those rooms used by the occupants for the consumption of alcoholic beverages, that have 8,000 square feet or more of floor area.

(Ord. 2523 § 1, 2004; Ord. 2377 § 10, 2001).

16.04.070 Section 903.2.2 amended– Fire-extinguishing systems – Group E Occupancies.

Section 903.2.2 of the International Building Code as enacted by the city and previously amended is hereby repealed and a new Section 903.2.2 is enacted to be added to the building code reading as follows:

Section 903.2.2 General. An automatic fire-extinguishing system shall be installed in all newly constructed buildings classified as Group E, Occupancy.

(Ord. 2523 § 1, 2004; Ord. 2377 § 11, 2001).

16.04.080 Section 903.2.3 amended– Sprinkler systems – Group F Occupancies.

Section 903.2.3 of the International Building Code as enacted by the city and previously amended is hereby repealed and a new Section 903.2.3 is enacted to be added to the building code reading as follows:

Section 903.2.3 Group F occupancies. An automatic fire sprinkler system shall be installed in Group F occupancies over 2,500 square feet in area that use equipment, machinery or appliances that generate finely divided combustible waste or that use finely divided combustible materials. All other Group F occupancies that have 8,000 square feet or more of floor area shall be provided with an automatic fire sprinkler system.

(Ord. 2523 § 1, 2004; Ord. 2377 § 12, 2001).

16.04.090 Section 903.2.4 amended– Fire-extinguishing systems – Group H Occupancies.

Section 903.2.4 of the International Building Code as enacted by the city and previously amended is hereby repealed and a new Section 903.2.4 is enacted to be added to the building code reading as follows:

Section 903.2.4 General. An automatic fire-extinguishing system shall be installed in all Group H, Divisions.

(Ord. 2523 § 1, 2004; Ord. 2377 § 13, 2001).

16.04.100 Section 903.2.6 amended– Sprinkler systems – Group M & B Occupancies.

Section 903.2.6 of the International Building Code as enacted by the city and previously amended is hereby repealed and a new Section 903.2.6 is enacted to be added to the building code reading as follows:

Section 903.2.6 Group M and B Occupancies. An automatic sprinkler system shall be installed in rooms classed as Group M Occupancies where the floor area is 8,000 square feet or more. The area of mezzanines shall be included in determining the areas where sprinklers are required.

(Ord. 2523 § 1, 2004; Ord. 2377 § 14, 2001).

16.04.110 Section 903.2.7 amended– Sprinkler systems – Group R Occupancies.

Section 903.2.7 of the International Building Code as enacted by the city and previously amended is hereby repealed and a new Section 903.2.7 is enacted to be added to the building code reading as follows:

Section 903.2.7 Group R Occupancies. An automatic sprinkler system shall be installed throughout every apartment house three or more stories in height or containing five (5) or more dwelling units, townhomes and every congregate residence three (3) or more stories in height or having an occupant load of five (5) or more, and every hotel three or more stories in height or containing five (5) or more guest rooms. Residential or quick-response standard sprinklers shall be used in the dwelling units and guest room portions of the building.

(Ord. 2523 § 1, 2004; Ord. 2377 § 15, 2001).

16.04.120 Section 903.2.8 added– Sprinkler systems – Group S Occupancies.

A new Section 903.2.8 is hereby enacted and added to the International Building Code as previously enacted and amended by the city reading as follows:

Section 903.2.8 Group S Occupancies. An automatic sprinkler system shall be installed throughout all Group S occupancies that have 8,000 square feet or more of floor area.

[Section 903.2.8.1. In all Group S-1 mini-storage occupancies](#)

[Section 903.2.8.2 : “Repair garages where the use of open flame or welding is conducted with a fire area exceeding 3,000 square feet.”](#)

(Ord. 2523 § 1, 2004; Ord. 2377 § 16, 2001).

16.04.130 Section 903.2.14 added– Fire Barriers .

A new Section 903.2.14 is hereby enacted and added to the International Building Code as previously enacted and amended by the city reading as follows:

Section 903.2.14. For the purposes of Section 903, fire barriers shall not define separate buildings.

(Ord. 2523 § 1, 2004; Ord. 2377 § 17, 2001).

16.04.140 Section 1018.2 amended– Number of exits.

Section 1018.2 of the International Building Code is amended in part to read as follows:

(a) Number of Exits. Every building or usable portion thereof shall have at least one (1) exit, and shall have not less than two (2) exits where required by Table No. 1018.2.

In all occupancies, floors, balconies and mezzanines above the main story having an occupant load of more than ten (10) shall have not less than two (2) exits.

Each mezzanine used for storage purposes, if greater than 2,000 square feet or more than 60 feet in any dimension, shall have not less than two (2) stairways to an adjacent floor.

All remaining portions of Section 1018 shall remain unamended.

(Ord. 2523 § 1, 2004; Ord. 1375 § 9, 1984; Ord. 852 § 15, 1975).

16.04.160 Requirements for moved buildings.

The term “moved building” shall mean any structure designed for human occupancy that is moved horizontally or vertically for 10 feet or more when either the original site or its new site is located within the city of Marysville; it does not mean factory-built housing which is being moved into the city directly from the factory, or mobile/manufactured homes. In addition to all requirements of the International Building and Residential Codes, the following provisions shall apply to moved buildings:

(1) Before any building shall be moved into or within the city of Marysville, a moving permit shall be obtained from the city building official. The fee for said permit shall be the minimum building permit fee specified in the International Building and Residential Codes, plus the state surcharge. The application for the moving permit shall state the proposed moving date, the proposed moving route and the location of the new site for the

building. A moving permit shall be issued only upon approval by both the building official and the street superintendent;

(2) No building shall be moved to or stored upon any site in the city of Marysville which is not a location approved in a moving permit issued by the city;

(3) Within 10 days after a building is moved to a new site in the city of Marysville, the owner shall apply for a building permit to place it on a permanent foundation and to bring it into compliance with the International Building and Residential Codes;

(4) Within 180 days after a building is moved to a new site within the city of Marysville, it shall be brought into full compliance with all applicable city codes and be ready for final approval by the building official. In hardship cases involving unforeseen circumstances, the building official shall be authorized to extend this time period for up to 60 additional days. (Ord. 2523 § 1, 2004; Ord. 1559, 1987).

Section 2. Marysville Municipal Code Chapter 16.08 is amended to read as follows.

**Chapter 16.08
PLUMBING CODE**

Sections:

[16.08.010](#) Adoption.

[16.08.015](#) Subsequent amendments.

[16.08.075](#) Table 1-A adopted – Schedule of fees and refunds.

[16.08.080](#) Section 20.14 amended – Board of plumber appeals.

[16.08.120](#) Section 20.17 added – Appendices.

[16.08.130](#) Water conservation performance standards.

[16.08.140](#) Pressure-regulating valves.

16.08.010 Adoption.

A certain document, not less than one copy of which is on file in the office of the building official of the city of Marysville, being marked and designated as the “Uniform Plumbing Code, 2006 Edition” published by the International Code Council, and appendices thereto, are adopted as the plumbing code of the city of Marysville for regulating the installation, removal, alteration or repair of plumbing and drainage systems and fixtures and water heating and treating equipment. Each and every one of the regulations, provisions, conditions and terms of the code are incorporated and made a

part of this chapter as if fully set forth in this chapter. (Ord. 2523 § 2, 2004; Ord. 2204 § 4, 1998; Ord. 2062 § 5, 1996; Ord. 1948 § 5, 1993; Ord. 1372 § 1, 1984; Ord. 1077 § 1, 1979; Ord. 853 § 1, 1975).

16.08.015 Subsequent amendments.

All amendments or supplements to the Uniform Plumbing Code which are hereinafter adopted by the International Code Council and by the state of Washington as a part of the State Building Code, Chapters 51-56 and 51-57 WAC, shall become a part of this code in all respects insofar as it is applied and enforced within the jurisdictional boundaries of the city of Marysville. (Ord. 2523 § 2, 2004; Ord. 853 § 2, 1975).

16.08.075 Table 1-A adopted– Schedule of fees and refunds.

The schedule of fees specified in Table 1-A entitled “Plumbing Permit Fees” in attached **Exhibit A Schedule of Fee Tables** is hereby adopted.

Section 103.4.5 amended – Refunds.

The building official may authorize refunding of not more than 80 percent of the plan review or permit fee paid when no review or work has been done. The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 90 days after the date of the fee payment.

(Ord. 2523 § 2, 2004; Ord. 2204 § 6, 1998; Ord. 1948 § 7, 1993; Ord. 1719, 1989).

16.08.080 Section 20.14 amended– Board of plumber appeals.

Appeals from any ruling made under this chapter may be made to the building code board of appeals. Procedural rules concerning appeals shall be as provided in the building code.

(Ord. 2523 § 2, 2004; Ord. 853 § 5, 1975).

16.08.120 Section 20.17 added– Appendices.

There is added to the administration chapter of the Uniform Plumbing Code a new Section 20.17, which shall read as follows:

20.17 Appendices. All appendices of the 2006 Edition of the Uniform Plumbing Code are incorporated by reference and made a part of this chapter.

(Ord. 2523 § 2, 2004; Ord. 1948 § 8, 1993; Ord. 1476 § 2, 1986; Ord. 1372 § 5, 1984; Ord. 1077 § 7, 1979; Ord. 853 § 9, 1975).

16.08.130 Water conservation performance standards.

[Water conservation performance standards specified in RCW 19.27.170., are now included in the body of the Uniform Plumbing Code.](#)

16.08.140 Pressure-regulating valves.

Where static water service pressure exceeds 80 pounds per square inch, a pressure-regulating valve shall be installed and maintained in the consumer's piping between the meter and the first point of water use, and set at not more than 50 pounds per square inch when measured at the highest fixture in the structure served. This requirement may be waived if the consumer presents evidence satisfactory to the city that excessive pressure has been considered in the design of water-using devices and that no water will be wasted as a result of high pressure operation. (Ord. 2523 § 2, 2004; Ord. 1807 § 2, 1990).

Section 3. A new section is added to Chapter 16 of the Marysville Municipal Code titled **16.12 National Electric Code** and shall read as follows:

NATIONAL ELECTRICAL CODE

Sections:

16.12.010 Adoption.

16.12.015 Amendments Made in National Electrical Code. Subsequent Amendments

16.12.020 Table 1- A adopted – Schedule of fees and refunds.

16.12.030 Amendments – Administrative Chapter

16.12.050 Code Amendments, General Provisions.

16.12.060 Prohibited Cables.

16.12.070 Violations and Penalties.

16.12.100 Board of electrical appeals.

16.12.120 Appendices.

16.12.010 Adoption.

National Electrical Code Adopted. The 2005 National Electrical Code, published by the National Fire Protection Association 2004 edition the Department of Labor and Industries Rules and Regulations for installing electrical wires and equipment and Administrative Rules (Chapter 19.28 RCW), and the Department of Labor and Industries Electrical Installation Law (Chapters-296-46), as adopted by the state of Washington, are hereby adopted by reference except as such portions as are hereinafter deleted, amended

or specified and incorporated herein as fully as if set out at length herein, collectively herein referred to as the “code” unless specifically provided otherwise.

16.12.015 Amendments Made in National Electrical Code.

Subsequent amendments.

All amendments or supplements to the National Electrical Code adopted by the NFPA National Fire Protection Association and by the state of Washington as part of the State Building Code shall become a part of this code in all respects insofar as it is applied and enforced within the jurisdictional boundaries of the city of Marysville.

16.12.020 Table 1 A adopted – Schedule of fees and refunds.

The schedule of fees specified in Table 1- A entitled “Electrical Permit Fees” in attached **Exhibit A Schedule of Fee Tables** is hereby adopted.

The building official may authorize refunding of not more than 70 per cent of the plan review or permit fee paid when no review or work has been done. The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 90 days after the date of the fee payment.

16.12.030 Amendments – Administrative Chapter.

There is added to the administration chapter of the **National Electrical Code** a new Section which shall read as follows:

1. **EXISTING BUILDINGS.** Buildings or structures to which additions, alterations or repairs are made to electrical system, including any and all electrical wires, services, equipment and apparatus shall comply with all the requirements for new work in buildings and structures as set forth in this Code except as specifically provided for in this section.

(a) In the event of unsafe or hazardous wiring, Section 11 shall take precedence.

2. **MAINTENANCE.** All electrical wires, equipment and apparatus shall be maintained in a safe condition. All devices and safeguards which are required by this Code in a building, sign or structure when erected, altered or repaired shall be maintained in a safe and good working order. The owner or his agent shall be responsible for the maintenance of all such electrical wiring, equipment and apparatus.

3. **MOVED BUILDINGS.** All electrical wires, equipment, or apparatus within or on, or attached thereto, which are moved within or into the City shall comply with the provisions of this Code and all other applicable laws, codes and ordinances.

4. **ADMINISTRATIVE AUTHORITY AND ASSISTANTS.** The Building Official is hereby authorized and directed to enforce all the provisions of this Code. For such purpose he/she shall have the powers of a police officer. In accordance with procedure

and with the approval of the chief appointing authority of the City, the Building Official may appoint such number of officers, inspectors and assistants and other employees as may be necessary to carry out the functions of this Code.

5. **RIGHT-OF-ENTRY.** Whenever necessary to make an inspection to enforce any of the provisions of this Code, or whenever the Building Official or his/her authorized representative has reasonable cause to believe that there exists in any building or upon any premises any condition or code violation which makes such building or premises unsafe, dangerous or hazardous, the Building Official or his/her authorized representative may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Building Official by this Code, provided that if such building or premises be occupied, he/she shall first present proper credentials and request entry; and if such building or premises be unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If such entry is refused, the Building Official or his/her authorized representative shall have recourse to every remedy provided by law to secure entry.

When the Building Official or his/her authorized representative shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care or control of any building or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the Building Official or his/her authorized representative for the purpose of inspection and examination pursuant to this Code.

6. **STOP ORDERS.** Whenever any work is being done contrary to the provisions of this Code, the Building Official may order the work stopped by notice in writing served on any persons engaged in doing or causing such work to be done and any such persons shall forthwith stop such work until authorized by the Building Official to proceed with the work.

7. **LIABILITY.** The Building Official or any employee charged with the enforcement of this Code, acting in good faith and without malice for the City in the discharge of his/her duties, shall not thereby render himself liable personally and he is hereby relieved from all personal liability for any damage that may accrue to person or property as a result of any act required or by reason of any act or omission in the discharge of his/her duties. Any suit brought against the Building Official or employee, because of such act or omission performed by him/her in the enforcement of any provisions of this Code, shall be defended by the legal department of the City until final termination of the proceedings. This code is one of general application and nothing herein is intended to create liability or cause action running in favor of individual members of the public.

8. **UNSAFE CONDITIONS.** All electrical wires, equipment and apparatus which are unsafe or not provided with adequate safeguards, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use constitute a

hazard to safety or health, or public welfare by reason of inadequate maintenance, obsolescence, fire hazard, disaster damage, or abandonment, as specified in this Code or any other effective ordinance arm for the purpose of this section, considered unsafe conditions. All such unsafe conditions are hereby declared to be public nuisances and the owner or his agent must abate by repair, rehabilitation, demolition, or removal in accordance with this Code or by any other procedures provided by law.

9. VIOLATION. It shall be unlawful for any person, firm, or corporation to install, alter or extend any electrical equipment in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Code.

10. PERMITS AND INSPECTIONS.

(a) Permits required: No person, firm or corporation shall install, alter, replace or extend any electrical work or equipment except replacement of kind or as provided for in Section 11, "Work Started Without a Permit," without first obtaining a separate electrical permit for each installation, alteration, replacement or extension from the Building.

(b) Application: To obtain a permit the applicant shall first file an application therefore in writing on a form furnished for that purpose. Every such application shall:

- (1) Identify and describe the work to be covered by the permit for which application is made;
- (2) Describe the land on which the proposed work is to be done, by house and street address;
- (3) Indicate the use or occupancy for which the proposed work is intended;
- (4) Be accompanied by plans and specifications as required in Subsection (d) of this section;
- (5) State the valuation of the proposed work;
- (6) Be signed by the permittee;
- (7) Give such other information as reasonably may be required by the Building Official.

(c) To Whom Permits May Be Issued: A permit may be issued to anyone as permitted by Chapter 19.28 RCW.

(d) Plans and Specifications: With each application for a permit, and when required by the Building Official for enforcement of any provisions of this Code, two sets of plans, service diagrams, specifications, and other information deemed necessary by the Building Official, shall be submitted. The Building Official may require plans and

specifications to be prepared and designed by an electrical engineer or electrical contractor licensed by the State to practice as such. The plans shall be drawn upon substantial paper or cloth and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that it will conform to the provisions of this Code and all other relevant laws, ordinances, rules and regulations.

(e) Plan Checking: The application, plans and specifications filed by the applicant for a permit shall be checked by the Building Official. If the Building Official is satisfied that the work described in an application for a permit and the plans filed therewith conform to the requirements of this Code and other pertinent laws and ordinances and that the fee specified in Section 11 has been paid, he may issue a permit therefore to the applicant.

(f) Validity: The issuance or granting of a permit or approval of plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of the Code or any other law or regulation. No permit presuming to give authority to violate or cancel the provisions of this Code shall be valid, except insofar as the work which it authorized is lawful.

The issuance of a permit based upon plans and specifications shall not prevent the Building Official from thereafter requiring the correction of errors in said plans and specifications or from preventing work being carried on thereunder when in violation of the Code or of any other ordinance of the City.

(g) Suspension or Revocation: The Building Official may, in writing, suspend or revoke a permit issued under provisions of this Code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this Code.

(h) Inspections:

(1) All construction, work and equipment, for which a permit is required by this Code shall be subject to inspections by the Building Official to insure compliance with this Code.

(2) That portion of any construction, work and equipment intended to be concealed shall not be concealed until inspected and approved.

(3) Neither the City nor the Building Official nor his duly appointed assistant shall be liable for any expense entailed in the removal or replacement of any material required to allow an inspection.

(4) The Building Official may require that every request for inspection be filed at least one day before such inspection is desired.

11. ELECTRICAL PERMIT FEES. A fee for each electrical permit shall be paid to the Building Official as set forth in Table 1-A Electrical Fees in attached **Exhibit A Schedule of Fee Tables**.

12. VIOLATION CITATION — ORDER. Notwithstanding any language in this Code, in the event a time period is established in: (1) a violation citation issued by a Code Compliance Officer or the Building Official, or his or her designee, or (2) an order issued by the Violations Hearing Examiner, said time period shall supersede the time period provided by this Code.

16.12.050 Code amendments, General provisions.

Each of the codes and regulations adopted by reference in Section 16.05.020 010 of this chapter is hereby amended by the addition of the following:

It is expressly the purpose of this Code to provide for and promote the health, safety and welfare of the general public, and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this Code.

It is the specific intent of this Code to place the obligation of complying with these regulations upon the permit applicant and any person owning or controlling any building or structure within its scope and no provision nor any term used in this Code is intended to impose any duty whatsoever upon the City or any of its officers, employees or agents, for whom the implementation or enforcement of this Code shall be discretionary and not mandatory.

Nothing contained in this Code is intended to be nor shall be construed to create or form the basis for any liability on the part of the City or its officers, employees or agents, for any injury or damage resulting from the failure of a building to comply with the provisions of this Code, or by reason or in consequence of any inspection, notice, order, certificate, permission or approval authorized or issued or done in connection with the implementation or enforcement of this Code, or by reason of any action or inaction on the part of the City related in any manner to the implementation or the enforcement of this Code by its officers, employees or agents.

Notwithstanding any language in this Code, it is not the intent of the Code to create a duty and/or cause of action running to any individual or identifiable person but rather any duty is intended to run only to the general public.

16.12.060. Prohibited cables.

WAC 296-46-155 of the Department of Labor and Industries Rules and Regulations for installing electric wires and equipment and administrative rules as herein adopted is hereby amended by adding the following:

Regardless of any other provisions in this chapter, NM, NMS, NMC, SE, and USE cable shall not be allowed in non-dwelling occupancies. For the purpose of these section motels, hotels, and the facilities listed in tables 1 and 2 (WAC 296) are not considered to be dwelling occupancies. Family child daycare homes are exempt from this section.

16.12.070. Violations and Penalties.

Each of the codes and regulations adopted in this chapter is hereby amended by the addition of the following:

Violations and Penalties.

1. A violation or the provisions of this Code shall be subject to the City's Civil Enforcement Procedures as set forth in Title 4 MMC and any person, firm or corporation who violates any provision of this Code shall be subject to said enforcement procedures. Provided, however, notwithstanding language to the contrary, any violation citation issued concerning a violation of this Code shall be issued by the Building Official or his/her designee
2. Any person, firm or corporation who violates any provision of this Code shall be deemed guilty of a misdemeanor, and each such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continued or permitted, and upon conviction of any such violation such person firm or corporation shall be punishable by a fine nor to exceed one thousand dollars, or imprisonment in jail not to exceed ninety days, or by both such fine and imprisonment.
3. The enforcement provisions and procedures provided in this Code are not exclusive and the City if authorized to pursue any remedy it deems appropriate or as otherwise provided by law.
4. The issuance or granting of a permit or approval of plans and/specifications shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of this Code or any other law or regulation. No permit presuming to give authority to violate or cancel the provisions of this Code shall be valid, except insofar as the work or use, which it authorized, is lawful.
5. The issuance or granting of a permit or approval of plans and/or specifications shall not prevent the Building official or designee from thereafter requiring the correction of errors in said plans and/or specifications or from preventing construction operation being carried on thereunder when in violation of this Code or of any other ordinance, law or regulations or from revoking any certificate of approval when issued in error.

16.12.100 Board of Electrical appeals.

Appeals from any ruling made under this chapter may be made to the building code board of appeal. Procedural rules concerning appeals shall be as provided in the building code.

16.12.200 Appendices.

[Appendices A, B, C, D, E, F, G to the International Electrical Code, 2005 Edition, are adopted, incorporated by this reference, and made a part of this chapter as if fully set forth in this chapter.](#)

Section 4. Marysville Municipal Code Chapter 16.28 is amended to read as follows.

Chapter 16.28 MECHANICAL CODE

Sections:

[16.28.010](#) Adoption by reference.

[16.28.015](#) Fee schedule adopted and refunds.

[16.28.020](#) Subsequent amendments.

[16.28.035](#) Solid-fuel-burning appliances.

[16.28.040](#) Penalty for violation.

[16.28.045 Appeals.](#)

16.28.010 Adoption by reference.

A certain document, not less than one copy of which is filed in the office of the building official of the city of Marysville, being marked and designated as the “International Mechanical Code, ~~2003~~-2006 Edition,” and appendices Chapter A thereto, published by the International Code Council, and the International Fuel Gas Code, 2006 Edition, is adopted as the mechanical code of the city of Marysville for regulating the installation and maintenance of heating, ventilating, cooling and refrigeration systems, providing for the issuance of permits and the collection of fees therefor, and providing penalties for the violation thereof. Each and all of the regulations, provisions, penalties, conditions and terms of said code are incorporated and made a part of this chapter as if fully set forth herein. (Ord. 2523 § 3, 2004; Ord. 2204 § 5, 1998; Ord. 2062 § 7, 1996; Ord. 1948 § 14, 1993; Ord. 1477 § 1, 1986; Ord. 1374 § 1, 1984; Ord. 1080 § 1, 1979; Ord. 849 § 1, 1975).

16.28.015 Fee schedule adopted and refunds.

Sections 106.5.2 and 2003 IMC Table 1-A of the International Mechanical Code, “Mechanical Permit Fees,” in attached **Exhibit A Schedule of Fee Tables** is hereby adopted.

Section 106.5 Fee funds amended – Refunds:

The building official may authorize refunding of not more than 80 percent of the plan review or permit fee paid when no review or work has been done. The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 90 days after the date of the fee payment.

(Ord. 2523 § 3, 2004).

16.28.020 Subsequent amendments.

All amendments or supplements to the International Mechanical Code or the appendices Chapter A thereto hereinafter adopted by the International Code Council shall become a part of the code in all respects insofar as it is applied and enforced within the jurisdictional boundaries of the city of Marysville. (Ord. 2523 § 3, 2004; Ord. 1080 § 2, 1979; Ord. 849 § 2, 1975).

16.28.035 Solid-fuel-burning appliances.

No used solid-fuel-burning appliances shall be installed in new or existing buildings unless such device is United States Environmental Protection Agency certified, including pellet stoves. (Ord. 2523 § 3, 2004; Ord. 1374 § 2, 1984; Ord. 1189, 1981).

16.28.040 Penalty for violation.

Any person willfully violating or failing to comply with any of the provisions of this chapter shall, upon conviction, be punished according to the provisions set forth in MMC [1.01.080](#). (Ord. 2523 § 3, 2004; Ord. 731 § 3, 1971).

16.28.045 Appeals

Appeals from any ruling made under this chapter may be made to the building code board of appeals. Procedural rules concerning appeals shall be as provided in the building code.

Section 5. Severability.

If any word, phrase, sentence, provision, or portion of this ordinance is declared to be invalid or unenforceable, it shall not affect validity or enforceability of the remaining words, phrases, sentences, provisions or portions of this ordinance.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2008.

CITY OF MARYSVILLE

By _____
DENNIS KENDALL, MAYOR

ATTEST:

By _____
TRACY JEFFRIES, CITY CLERK

Approved as to form:

By _____
GRANT K. WEED CITY ATTORNEY

Date of Publication: _____

Effective Date (5 days after publication): _____

**Exhibit A Schedule of Fee Tables
INTERNATIONAL BUILDING and RESIDENTIAL CODE**

TABLE 1-A

Table 1-A – Building Permit Fees

The fees for building permits are per Table No. 1-A of the 2006 IBC/IRC, as adopted by the City Council, and are based on the valuation of the work being performed.

Total Valuation	Fee
\$1.00 to \$500.00	\$30.00
\$501.00 to \$2,000.00	\$30.00 for the first \$500.00 plus \$3.05 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.25 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
\$1,000,000.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00 or fraction thereof.

- 1. A Plan Review Fees (paid at the time of submitting plans) equal to 65% of the building permit fees
 - B Re-Inspection Fees for called inspections when access is not provided or work is not ready: \$75.00 under IBC/IRC Section 108
 - C Revision Fees for additional plan review or inspections when the work authorized by permit changes: \$75.00 per Table 1-A under IBC/IRC Section 108 (minimum charge – one hour)
 - D Inspections for which no fee is specifically indicated: \$75.00 per hour * (minimum charge – one hour)
2. Building valuation shall be based on the building valuation data sheet contained within each year’s May issue of the “Building Safety Journal” magazine published by the International Code Council (ICC) including the “The Cost Modifier of 1.09” , on file with the City Building Official.

3. Decks, carports (open on three-sides), ramps, unheated sunrooms, cover porches and stairs are assessed at \$15.00 per square foot per submittal.
4. Unfinished basements (no heat, insulation and/or sheetrock) are assessed at \$40.00 per square foot.
5. Single wide mobile homes \$200.00, Double wide \$300.00 for permit base fee.
6. State Building Code Council surcharge fee \$4.50 per building permit, plus \$2.00 each dwelling unit.
7. For miscellaneous applications, plans reviews and permits including expired applications and permits for which no fee is specified fee will be at a rate of \$75 dollars per hour with a minimum fee of one hour at \$75. *

*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

GRADING PLAN REVIEW FEES

50 cubic yard (38.2 m ³) or less, when located in a designated critical area.....	\$ \$100.00
51 to 100 cubic yards (40 m ³ to 76.5 m ³).....	\$ 120.00
101 to 1,000 cubic yards (77.2 m ³ to 764.6 m ³).....	\$ 160.00
1,001 to 10,000 cubic yards (765.3 m ³ to 7645.5 m ³).....	\$ 200.00
10,001 to 100,000 cubic yards (7646.3 m ³ to 76 455m ³) \$300.00 for the first 10,000 cubic yards (7645.5 m ³), plus \$40.00 for each additional 10,000 yards (7645.5 m ³) or fraction thereof.	
100,001 to 200,000 cubic yards (76 456 m ³ to 152 911 m ³) \$ 300.00 for the first 100,000 cubic yards (76 455 m ³), plus \$60.00 for each additional 10,000 cubic yards (7645.5m ³) or fraction thereof.	
200,001 cubic yards (152 912 m ³) or more -- \$500.00 for the first 200,000 cubic yards (152911 m ³), plus \$100.00 for each additional 10,000 cubic yards (7645.5 m ³) or fraction thereof.	
Other Fees:	
1. Additional plan review required by changes, additions or revisions to approved plans.....	\$75.00 per hour (minimum charge - one-hour)
2. Clearing plan review as specified under M.M.C. 19.28.020 or.....	\$75.00 per hour*

*Or the total hourly cost to the jurisdiction, whichever is greatest. This cost shall include supervision, overhead, equipment, hourly wage and fringe benefits of the employees involved.

For miscellaneous applications, plans reviews and permits including expired applications and permits for which no fee is specified fee will be at a rate of \$75 dollars per hour with a minimum fee of one hour at \$75.*

GRADING PERMIT FEES

Base permit fee.....	\$100.00
50 cubic yard (38.2 m ³) or less, when located in a designated critical area.....	\$ 120.00
51 to 100 cubic yards (40 m ³ to 76.5 m ³).....	\$160.00
101 to 1,000 cubic yards (77.2 m ³ to 764.6 m ³)-- \$200.00 for the first 100 cubic yards (76.5 m ³) plus \$20.00 for each additional 100 cubic yards (76.5 m ³) of a fraction thereof.	
1,001 to 10,000 cubic yards (765.3 m ³ to 7645.5 m ³)--\$300.00 for the first 1,000 cubic yards (764.6 m ³), plus \$40.00 for each additional 1,000 cubic yards (764.6 m ³) or fraction thereof.	
10,001 to 100,000 cubic yards (7646.3 m ³ to 76 455m ³) -- \$ 500.00 for the first 10,000 cubic yards (7645.5 m ³), plus \$60.00 for each additional 10,000 yards (7645.5 m ³) or fraction thereof.	
100,001 cubic yards (76 456 m ³) or more -- \$500.00 for the first 100,000 cubic yards (76 455m ³), plus \$80.00 for each additional 10, 000 cubic yards (7645.5 m ³) or fraction thereof.	

Other Inspections and Fees:

- | | |
|--|--------------------|
| 1. Inspections outside of normal business hours (minimum charge – one hour)..... | \$75.00 per hour * |
| 2. Re-inspection fees assessed under provisions of UBC Section 108.8..... | \$75.00 per hour* |
| 3. Inspections for which no fee is specifically indicated (minimum charge – one-hour)..... | \$75.00 per hour * |
| 4. Clearing permit fees as specified under M.M.C. 19.28.020 or..... | \$75.00 per hour* |

*Or the total hourly cost to the jurisdiction, whichever is greatest.
This cost shall include supervision, overhead, equipment, hourly wage and fringe benefits of the employees involved.

For miscellaneous applications, plans reviews and permits including expired applications and permits for which no fee is specified fee will be at a rate of \$75 dollars per hour with a minimum fee of one hour at \$75.*

TABLE 1-A

UNIFORM PLUMBING CODE 2006

2006 UPC

TABLE 1-A – PLUMBING PERMIT FEES

Permit Issuance

1. For issuing each permit.....	\$30.00
2. For issuing each supplemental permit.....	\$30.00

Unit Fee Schedule (in addition to items 1 and 2 above)

1. For each plumbing fixture on one trap or a set of fixtures on one trap (including water, drainage piping and backflow protection therefore).....	\$15.00
2. For each grinder pump.....	\$150.00
3. Rainwater systems – per drain (inside building).....	\$15.00
4.* Water service connection: water line from meter to house or structure.....	\$50.00
5. For each private sewage disposal system.....	Approval Required from Health/Snohomish County
6. For each water heater and/or vent.....	\$15.00
7. For each gas-piping system of one to five outlets.....	\$15.00
8. For each additional gas piping system outlet, per outlet.....	\$15.00
9. For each industrial waste pretreatment interceptor including its trap and vent, except kitchen-type grease interceptors functioning as fixture traps.....	\$15.00
10. For each installation, alteration or repair of water piping and/or water treating equipment, each.....	\$15.00
11. For each repair or alteration of drainage or vent piping, each fixture.....	\$15.00
12. For each lawn sprinkler system on any one meter including backflow protection devices therefore.....	\$15.00
13. For atmospheric-type vacuum breakers not included in item 12:to 5.....	\$10.00
over 5, each.....	\$10.00
14. For each backflow protective device other than atmospheric type vacuum breakers:	
2 inch (51 mm) diameter and smaller.....	\$10.00
over 2 inch (51 mm) diameter.....	\$10.00
15. For each graywater system.....	\$15.00
16. For initial installation and testing for a reclaimed water system.....	\$15.00
17. For each annual cross-connection testing of a reclaimed water system (excluding initial test).....	\$15.00
18. For each medical gas piping system serving one to five inlet(s)/outlet(s) for a specific gas.....	\$25.00
19. For each additional medical gas inlet(s)/outlet(s).....	\$25.00
20. For each fire sprinkler system including \$.50 per head.....	\$50.00
21. For each industrial waste pretreatment grease interceptor including its trap and vent, and inspections.....	\$30.00

Other Inspections and Fees:

1. Inspections outside of normal business hours.....	\$75.00
2. Reinspection fee under Section 103.5.6.....	\$75.00
3. Inspections for which no fee is specifically indicated.....	\$75.00
4. Additional plan review required by changes, additions or revisions to approved plans (minimum charge – one hour).....	\$75.00

5. Jurisdiction may issue permit fees from project valuation and/or the hourly cost to cover employee inspection time, whichever is greatest.
6. Typical plan review fees for plumbing work shall be equal to 25% of the total permit fee as set forth in Table 1-A and 103.4
7. For miscellaneous applications, plans reviews and permits including expired applications and permits for which no fee is specified fee will be at a rate of \$75 dollars per hour with a minimum fee of one hour at \$75.*
*Or the total hourly cost to the jurisdiction, whichever is greatest. This cost shall include supervision, overhead, equipment, hourly wage and fringe benefits of the employees involved.

* Put on building application for plumbing if new construction or connecting to city sewer and water

CITY OF MARYSVILLE
Table 1-A ELECTRICAL FEES

Effective July 1, 2007

RESIDENTIAL (Single Family Or Duplex)

New construction, addition or remodel. Additions and remodels based on size of project.

Under 1000 square feet	\$100
1001 to 2000 square feet	\$150
2001 to 3000 square fee	\$200
3001 square feet & over	\$250
Garages and outbuildings (stand alone projects)	\$100
Service/panel change or alteration	\$75
Circuits added/altered without service change	
1 or 2 circuits	\$50
3 or more circuits	\$75
Meter/mast repair or alteration	\$75

COMMERCIAL & MULTI-FAMILY (including fire alarm)

Total valuation (time & materials)

\$250 or less	\$50
\$251 to \$5,000	\$50 + 3% of cost over \$250
\$5,001 to \$50,000	\$175 + 1.5% of cost over \$5,000
\$50,001 to \$250,000	\$925 + .9% of cost over \$50,000
\$250,001 to \$1,000,000	\$3,175 + .7% of cost over \$250,000
\$1,000,001 and above	\$10,000 + .4% of cost over \$1,000,000

COMMERCIAL LOW VOLTAGE/POWER LIMITED

(Use the valuation schedule shown above for fire alarms)

70 or less connections	\$50
over 70 connections	\$50 + .50 per connection

MISCELLANEOUS

Temporary Service	\$50
Manufactured/mobile home service (does not include out buildings)	\$75
Signs	\$50
Carnival	\$200
Inspection of work done without permit	\$75
Re-inspection fee (not ready, corrections not made)	\$75
Plan review fee or inspection not specified elsewhere (1/2 hr. minimum)	\$ 75/hr

2006 IMC

TABLE 1-A – MECHANICAL PERMIT FEES

Permit Issuance and Heaters

- 1.....For the issuance of each mechanical permit\$30.00
- 2. For issuing each supplemental permit for which the original permit has not expired, been canceled or finalized\$15.00

Unit Fee Schedule

(Note: The following do not include permit-issuing fee.)

1. Furnaces

- For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, up to and including 100,000 Btu/h (29.3kW).....\$20.00
- For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance over 100,000 Btu/h (29.3kW).....\$20.00
- For the installation or relocation of each floor furnace, including vent.....\$20.00
- For the installation or relocation of each suspended heater, recessed wall heater or floor-mounted unit heater.....\$20.00

2. Appliance Vents

- For the installation, relocation or replacement of each appliance vent installed and not included in an appliance permit.....\$20.00

3. Repairs or Additions

- For the repair of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Mechanical Code\$20.00

4. Boilers, Compressors and Absorption Systems

- For the installation or relocation of each boiler or compressor to and including 3 horsepower (10.6kW), or each absorption system to and including 100,000 Btu/h (29.3 kW).....\$20.00
- For the installation or relocation of each boiler or compressor over three horsepower (10.6 kW) to and including 15 horsepower (52.7 kW), or each absorption system over 100,000 Btu/h (29.3 kW) to and including 500,000 Btu/h (146.6 kW).....\$30.00
- For the installation or relocation of each boiler or compressor over 15 horsepower (52.7 kW) to and including 30 horsepower (105.5 kW), or each absorption system over 500,000 Btu/h (146.6 kW) to and including 1,000,000 Btu/h (293.1 kW).....\$40.00
- For the installation or relocation of each boiler or compressor over 30 horsepower (105.5 kW) to and including 50 horsepower (176 kW), or each absorption system over 1,000,000 Btu/h (293.1 kW) to and including 1,750,000 Btu/h (512.9 kW).....\$60.00
- For the installation or relocation of each boiler or compressor over 50 horsepower (176 kW), or each absorption system over 1,750,000 Btu/h (512.9 kW).....\$99.00

5. Air Handlers

- For each air-handling unit to and including 10,000 cubic feet per minute (cfm) (4719 L/s), including ducts attached thereto\$20.00
- Note: This fee does not apply to an air-handling unit which is a portion of a factory-assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere in the Mechanical Code.
- For each air-handling unit over 10,000 cfm (4719 L/s).....\$20.00

6. Evaporative Coolers

- For each evaporative cooler other than portable type\$20.00

7. Ventilation and Exhaust

- For each ventilation fan connected to a single duct\$20.00
- For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit.....\$20.00
- For the installation of each hood which is served by mechanical exhaust, including the ducts for such hood.....~~\$12.00~~ 20.00

8. Incinerators

- For the installation or relocation of each domestic-type incinerator\$20.00
- For the installation or relocation of each commercial or industrial-type incinerators\$16.00

9. Miscellaneous

- For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories, or for which no other fee is listed in the table i.e.: fire/smoke dampers.....\$20.00
- When Chapter 13 is applicable, permit fees for fuel gas piping shall be:
Gas Piping System
- For each gas piping system of one to four outlets.....\$20.00
- For each additional outlet exceeding four, each.....\$10.00
- When Chapter 14 is applicable, permit fees for process piping shall be as follows:
- For each hazardous process piping system (HPP) of one to four outlets\$10.00
- For each hazardous process piping system of five or more outlets, per outlet.....\$10.00
- For each nonhazardous process piping system (NPP) of one to four outlets\$10.00
- For each nonhazardous piping system of five or more outlets, per outlet.....\$10.00

Other Inspections and Fees:

- 1. Inspections outside of normal business hours, per hour (minimum charge –two hours).....\$75.00*
- 2. Reinspection fees assessed under provisions of Section 106.5.2, per inspection\$75.00*
- 3. Inspections for which no fee is specifically indicated, per hour (minimum charge – one-half hour)\$75.00**
- 4. Additional plan review required by changes, additions or revisions to plans or to plans for which an initial review has been completed

(minimum charge – one-half hour)\$75.00*

5. Jurisdiction may issue permit fees from project valuation and/or the hourly cost to cover employee inspection time, whichever is greatest.

6. Typical plan review fees for mechanical work shall be equal to 25% of the total permit fee as set forth in Table 1-A and 106.5.2.

7. For miscellaneous applications, plans reviews and permits including expired applications and permits for which no fee is specified fee will be at a rate of \$75 dollars per hour with a minimum fee of one hour at \$75.

*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON AMENDING ORDINANCE 2708 AND AMENDING OR CORRECTING MARYSVILLE MUNICIPAL CODE CHAPTERS 16.04.040, 16.04.120 16.08,130, 16.12.050, 16.12.200 and 16.28.010; ADOPTING BY REFERENCE THE INTERNATIONAL BUILDING CODE AND INTERNATIONAL RESIDENTIAL CODE AND THE INTERNATIONAL BUILDING CODE STANDARDS 2006 EDITION, EXCLUDING THE INTERNATIONAL ELECTRICAL, PLUMBING, PROPERTY MAINTENANCE AND ENERGY CODES, CHAPTER 34 EXISTING BUILDINGS AND ADDING A NEW SECTION CODIFIED AS CHAPTER 16.12 THE NATIONAL ELECTRIC CODE; AND PROVIDING FOR SEVERABILITY.

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

Section 1. Marysville Muncipal Code Chapter 16.04 is amended to read as follows:

**Chapter 16.04
BUILDING CODE**

Sections:

[16.04.010](#) Adoption by reference, exclusions and exemptions.

[16.04.020](#) Amendments – Subsequent.

[16.04.030](#) Appendices adopted.

[16.04.035](#) Section 204 amended – Board of appeals.

[16.04.037](#) Section 502 Definitions amended – Story.

[16.04.040](#) Washington State Energy Code – Nonresidential Energy Code and Ventilation and Indoor Air Quality Code adopted.

[16.04.045](#) Sections 108 and 108.2 amended – IBC and IRC Fee Table 1-A and Table A-J-A adopted by reference.

[16.04.050](#) Section 108.2 amended – Plan review fees and refunds.

[16.04.060](#) Section 903.2.1 amended – Sprinkler systems – Group A Occupancies.

[16.04.070](#) Section 903.2.2 amended – Fire-extinguishing systems – Group E Occupancies.

[16.04.080](#) Section 903.2.3 amended – Sprinkler systems – Group F Occupancies.

[16.04.090](#) Section 903.2.4 amended – Fire-extinguishing systems – Group H Occupancies.

[16.04.100](#) Section 903.2.6 amended – Sprinkler systems – Group M Occupancies.

[16.04.110](#) Section 903.2.7 amended – Sprinkler systems – Group R Occupancies.

[16.04.120](#) Section 903.2.8 added – Sprinkler systems – Group S Occupancies.

[16.04.130](#) Section 903.2.14 added – Fire Barriers .

[16.04.140](#) Section 1018.2 & 505.3 amended – Number of exits.

[16.04.160](#) Requirements for moved buildings.

16.04.010 Adoption by reference, exclusions and exemptions.

(1) Certain documents, copies of which are on file in the office of the building official of the city of Marysville, being marked and designated as the “International Building Code and the International Residential Code, and the International Building Code Standards, 2006 Edition,” published by the International Code Council, except for the provisions in subsections (3) and (4) of this section, are adopted as the building code of the city of Marysville for regulating the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings or structures in the city of Marysville, providing for the issuance of permits and the collection of fees therefor, and providing for penalties for the violation thereof. Each and all of the regulations, provisions, penalties, conditions and terms of said code are incorporated and made a part of this chapter as if fully set forth in this chapter.

(2) IBC and IRC Section 101.1 Title. These regulations shall be known as the building code of the city of Marysville, Washington, hereinafter referred to as “this code.”

(3) Exclusions from Adoption by Reference. The following IBC 101.4 referenced codes are excluded and not adopted by reference as the building code for the city of Marysville:

101.4.1 Electrical

101.4.4 Plumbing

101.4.5 Property Maintenance

101.4.7 Energy

Chapter 34 Existing Buildings

(4) Work Exempt from Permits. For purposes of Marysville Municipal Code, both IBC and IRC Section 105.2, Work exempt from permit, are amended to read as follows:

Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any laws or ordinance of this jurisdiction. Permits shall not be required for the following:

Building:

1. One story detached accessory structure used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet.
2. Fences not over 6 feet high.
3. Retaining walls which are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.
4. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons and ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks, platforms, decks and driveways not more than 30 inches above grade and not over any basement or story below and which are not part of an accessible route.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Temporary motion picture, television and theater stage sets and scenery.
8. Prefabricated swimming pools accessory to Group R-3 occupancy, as applicable in Section 101.2, which are less than 24 inches deep, do not exceed 5,000 gallons and are installed entirely above ground.
9. Shade cloth structures constructed for nursery or agricultural purposes and not including service systems.
10. Swings and other playground equipment accessory to detached one- and two-family dwellings.
11. Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support of Group R-3, as applicable in Section 101.2, and Group U occupancies.

12. Moveable cases, counters and partitions not over 5 feet 9 inches in height.

(Ord. 2523 § 1, 2004; Ord. 2204 § 1, 1998; Ord. 2062 § 1, 1996; Ord. 1948 § 1, 1993; Ord. 1475 § 1, 1986; Ord. 1375 § 1, 1984; Ord. 1076 § 1, 1979; Ord. 852 § 1, 1975).

16.04.020 Amendments– Subsequent.

All amendments or supplements to the International Building and Residential Codes hereinafter adopted by the International Code Council and by the state of Washington as part of the State Building Code shall become a part of this code in all respects insofar as it is applied and enforced within the jurisdictional boundaries of the city of Marysville. (Ord. 2523 § 1, 2004; Ord. 852 § 2, 1975).

16.04.030 Appendices adopted.

Appendices B, I and J, except Section J101.2 to the International Building Code, 2006 Edition, and only Appendices A, B, C, G, H, J and K to the International Residential Code, 2006 Edition, are adopted, incorporated by this reference, and made a part of this chapter as if fully set forth in this chapter. (Ord. 2658 § 1, 2006; Ord. 2523 § 1, 2004; Ord. 2204 § 2, 1998; Ord. 2062 § 2, 1996; Ord. 1948 § 2, 1993; Ord. 1475 § 2, 1986; Ord. 1375 § 2, 1984; Ord. 1076 § 2, 1979; Ord. 852 § 3, 1975).

16.04.035 Section 204 amended– Board of appeals.

Section 204 of the International Building Code is amended by adding the following additional subsection thereto:

(c) Procedure. An appeal to the Board of Appeals must be filed in writing within fifteen (15) days after the order, decision or determination of the building official which is being challenged. The filing fee shall be one hundred fifty dollars. Within twenty (20) days after the filing of an appeal the Board of Appeals shall hold a hearing on the same and shall render its decision. Continuances shall be allowed only with the consent of the appellant. The decision of the Board of Appeals shall be final on the date that it is reduced to writing and sent to the appellant, subject to the right of the appellant to file an appeal to the Snohomish County Superior Court within fifteen (15) days thereafter.

(Ord. 2523 § 1, 2004; Ord. 1766, 1990).

16.04.037 Section 502 Definitions amended– Story.

Section 502 of the International Building Code is amended at that paragraph entitled “Story” by adding the following paragraph:

If any portion of a basement or usable under-floor space in a group R occupancy consisting of five (5) units including townhomes, or more is used or intended to be used

for human habitation or assemblage of person for any purpose, such basement or usable space shall be considered a story.

(Ord. 2523 § 1, 2004; Ord. 2100 § 1, 1996).

16.04.040 Washington State Energy Code– Nonresidential Energy Code and Ventilation and Indoor Air Quality Code adopted.

The Washington State Energy Code, including the Nonresidential Energy Code, Chapter 51-11 WAC, and the Ventilation and Indoor Air Quality Code, Chapter 51-13 WAC, are each adopted and incorporated into and made a part of this chapter by reference. (Ord. 2523 § 1, 2004; Ord. 2062 § 3, 1996).

16.04.045 Sections 108 and 108.2 amended– IBC and IRC Fee Table 1-A and Table A-J-A adopted by reference.

The schedule of fees adopted in Table 1-A titled “Building Permit Fees” and Table A-J-A titled “Grading Plan Review Fees and Grading Permit Fees” of attached **Exhibit A Schedule of Fee Tables** are hereby adopted. (Ord. 2523 § 1, 2004).

16.04.050 Section 108.2 amended– Plan review fees and refunds.

Section 108.2 of the International Residential Code is amended to read as follows:

1. When a plan or other data are required to be submitted by Section 108, a plan review fee shall be paid at the time of submitting plans and specifications for review. Except as provided below, said plan review fee shall be 65 percent (65%) of the building permit fee as shown in 2006 IBC-IRC Table 1-A Building Permit Fees.
2. Sections 108.5 and 108.6 amended – Refunds. The building official may authorize refunding of not more than 70 (70%) percent of the plan review or permit fee paid when no review or work has been done. The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 90 days after the date of the fee payment.

(Ord. 2523 § 1, 2004; Ord. 2204 § 3, 1998; Ord. 2062 § 4, 1996; Ord. 1974 § 1, 1993).

16.04.060 Section 903.2.1 amended– Sprinkler systems – Group A Occupancies.

Section 903.2.1 of the International Building Code as enacted by the city and previously amended is hereby repealed and a new Section 903.2.1 is enacted to be added to the building code reading as follows:

Marysville Municipal Code Section 903.2.1 Group A Occupancies. An automatic sprinkler system shall be installed in all Group A Occupancies, other than those rooms used by the occupants for the consumption of alcoholic beverages, that have 8,000 square feet or more of floor area.

(Ord. 2523 § 1, 2004; Ord. 2377 § 10, 2001).

16.04.070 Section 903.2.2 amended– Fire-extinguishing systems – Group E Occupancies.

Section 903.2.2 of the International Building Code as enacted by the city and previously amended is hereby repealed and a new Section 903.2.2 is enacted to be added to the building code reading as follows:

Section 903.2.2 General. An automatic fire-extinguishing system shall be installed in all newly constructed buildings classified as Group E, Occupancy.

(Ord. 2523 § 1, 2004; Ord. 2377 § 11, 2001).

16.04.080 Section 903.2.3 amended– Sprinkler systems – Group F Occupancies.

Section 903.2.3 of the International Building Code as enacted by the city and previously amended is hereby repealed and a new Section 903.2.3 is enacted to be added to the building code reading as follows:

Section 903.2.3 Group F occupancies. An automatic fire sprinkler system shall be installed in Group F occupancies over 2,500 square feet in area that use equipment, machinery or appliances that generate finely divided combustible waste or that use finely divided combustible materials. All other Group F occupancies that have 8,000 square feet or more of floor area shall be provided with an automatic fire sprinkler system.

(Ord. 2523 § 1, 2004; Ord. 2377 § 12, 2001).

16.04.090 Section 903.2.4 amended– Fire-extinguishing systems – Group H Occupancies.

Section 903.2.4 of the International Building Code as enacted by the city and previously amended is hereby repealed and a new Section 903.2.4 is enacted to be added to the building code reading as follows:

Section 903.2.4 General. An automatic fire-extinguishing system shall be installed in all Group H, Divisions.

(Ord. 2523 § 1, 2004; Ord. 2377 § 13, 2001).

16.04.100 Section 903.2.6 amended– Sprinkler systems – Group M & B Occupancies.

Section 903.2.6 of the International Building Code as enacted by the city and previously amended is hereby repealed and a new Section 903.2.6 is enacted to be added to the building code reading as follows:

Section 903.2.6 Group M and B Occupancies. An automatic sprinkler system shall be installed in rooms classed as Group M Occupancies where the floor area is 8,000 square feet or more. The area of mezzanines shall be included in determining the areas where sprinklers are required.

(Ord. 2523 § 1, 2004; Ord. 2377 § 14, 2001).

16.04.110 Section 903.2.7 amended– Sprinkler systems – Group R Occupancies.

Section 903.2.7 of the International Building Code as enacted by the city and previously amended is hereby repealed and a new Section 903.2.7 is enacted to be added to the building code reading as follows:

Section 903.2.7 Group R Occupancies. An automatic sprinkler system shall be installed throughout every apartment house three or more stories in height or containing five (5) or more dwelling units, townhomes and every congregate residence three (3) or more stories in height or having an occupant load of five (5) or more, and every hotel three or more stories in height or containing five (5) or more guest rooms. Residential or quick-response standard sprinklers shall be used in the dwelling units and guest room portions of the building.

(Ord. 2523 § 1, 2004; Ord. 2377 § 15, 2001).

16.04.120 Section 903.2.8 added– Sprinkler systems – Group S Occupancies.

A new Section 903.2.8 is hereby enacted and added to the International Building Code as previously enacted and amended by the city reading as follows:

Section 903.2.8 Group S Occupancies. An automatic sprinkler system shall be installed throughout all Group S occupancies that have 8,000 square feet or more of floor area.

Section 903.2.8.1. In all Group S-1 mini-storage occupancies

Section 903.2.8.2 : “Repair garages where the use of open flame or welding is conducted with a fire area exceeding 3,000 square feet.”

(Ord. 2523 § 1, 2004; Ord. 2377 § 16, 2001).

16.04.130 Section 903.2.14 added– Fire Barriers .

A new Section 903.2.14 is hereby enacted and added to the International Building Code as previously enacted and amended by the city reading as follows:

Section 903.2.14. For the purposes of Section 903, fire barriers shall not define separate buildings.

(Ord. 2523 § 1, 2004; Ord. 2377 § 17, 2001).

16.04.140 Section 1018.2 amended– Number of exits.

Section 1018.2 of the International Building Code is amended in part to read as follows:

(a) Number of Exits. Every building or usable portion thereof shall have at least one (1) exit, and shall have not less than two (2) exits where required by Table No. 1018.2.

In all occupancies, floors, balconies and mezzanines above the main story having an occupant load of more than ten (10) shall have not less than two (2) exits.

Each mezzanine used for storage purposes, if greater than 2,000 square feet or more than 60 feet in any dimension, shall have not less than two (2) stairways to an adjacent floor.

All remaining portions of Section 1018 shall remain unamended.

(Ord. 2523 § 1, 2004; Ord. 1375 § 9, 1984; Ord. 852 § 15, 1975).

16.04.160 Requirements for moved buildings.

The term “moved building” shall mean any structure designed for human occupancy that is moved horizontally or vertically for 10 feet or more when either the original site or its new site is located within the city of Marysville; it does not mean factory-built housing which is being moved into the city directly from the factory, or mobile/manufactured homes. In addition to all requirements of the International Building and Residential Codes, the following provisions shall apply to moved buildings:

(1) Before any building shall be moved into or within the city of Marysville, a moving permit shall be obtained from the city building official. The fee for said permit shall be the minimum building permit fee specified in the International Building and Residential Codes, plus the state surcharge. The application for the moving permit shall state the proposed moving date, the proposed moving route and the location of the new site for the

building. A moving permit shall be issued only upon approval by both the building official and the street superintendent;

(2) No building shall be moved to or stored upon any site in the city of Marysville which is not a location approved in a moving permit issued by the city;

(3) Within 10 days after a building is moved to a new site in the city of Marysville, the owner shall apply for a building permit to place it on a permanent foundation and to bring it into compliance with the International Building and Residential Codes;

(4) Within 180 days after a building is moved to a new site within the city of Marysville, it shall be brought into full compliance with all applicable city codes and be ready for final approval by the building official. In hardship cases involving unforeseen circumstances, the building official shall be authorized to extend this time period for up to 60 additional days. (Ord. 2523 § 1, 2004; Ord. 1559, 1987).

Section 2. Marysville Municipal Code Chapter 16.08 is amended to read as follows.

**Chapter 16.08
PLUMBING CODE**

Sections:

[16.08.010](#) Adoption.

[16.08.015](#) Subsequent amendments.

[16.08.075](#) Table 1-A adopted – Schedule of fees and refunds.

[16.08.080](#) Section 20.14 amended – Board of plumber appeals.

[16.08.120](#) Section 20.17 added – Appendices.

[16.08.130](#) Water conservation performance standards.

[16.08.140](#) Pressure-regulating valves.

16.08.010 Adoption.

A certain document, not less than one copy of which is on file in the office of the building official of the city of Marysville, being marked and designated as the “Uniform Plumbing Code, 2006 Edition” published by the International Code Council, and appendices thereto, are adopted as the plumbing code of the city of Marysville for regulating the installation, removal, alteration or repair of plumbing and drainage systems and fixtures and water heating and treating equipment. Each and every one of the regulations, provisions, conditions and terms of the code are incorporated and made a

part of this chapter as if fully set forth in this chapter. (Ord. 2523 § 2, 2004; Ord. 2204 § 4, 1998; Ord. 2062 § 5, 1996; Ord. 1948 § 5, 1993; Ord. 1372 § 1, 1984; Ord. 1077 § 1, 1979; Ord. 853 § 1, 1975).

16.08.015 Subsequent amendments.

All amendments or supplements to the Uniform Plumbing Code which are hereinafter adopted by the International Code Council and by the state of Washington as a part of the State Building Code, Chapters 51-56 and 51-57 WAC, shall become a part of this code in all respects insofar as it is applied and enforced within the jurisdictional boundaries of the city of Marysville. (Ord. 2523 § 2, 2004; Ord. 853 § 2, 1975).

16.08.075 Table 1-A adopted– Schedule of fees and refunds.

The schedule of fees specified in Table 1-A entitled “Plumbing Permit Fees” in attached **Exhibit A Schedule of Fee Tables** is hereby adopted.

Section 103.4.5 amended – Refunds.

The building official may authorize refunding of not more than 80 percent of the plan review or permit fee paid when no review or work has been done. The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 90 days after the date of the fee payment.

(Ord. 2523 § 2, 2004; Ord. 2204 § 6, 1998; Ord. 1948 § 7, 1993; Ord. 1719, 1989).

16.08.080 Section 20.14 amended– Board of plumber appeals.

Appeals from any ruling made under this chapter may be made to the building code board of appeals. Procedural rules concerning appeals shall be as provided in the building code.

(Ord. 2523 § 2, 2004; Ord. 853 § 5, 1975).

16.08.120 Section 20.17 added– Appendices.

There is added to the administration chapter of the Uniform Plumbing Code a new Section 20.17, which shall read as follows:

20.17 Appendices. All appendices of the 2006 Edition of the Uniform Plumbing Code are incorporated by reference and made a part of this chapter.

(Ord. 2523 § 2, 2004; Ord. 1948 § 8, 1993; Ord. 1476 § 2, 1986; Ord. 1372 § 5, 1984; Ord. 1077 § 7, 1979; Ord. 853 § 9, 1975).

16.08.130 Water conservation performance standards.

Water conservation performance standards specified in RCW 19.27.170., are now included in the body of the Uniform Plumbing Code.

16.08.140 Pressure-regulating valves.

Where static water service pressure exceeds 80 pounds per square inch, a pressure-regulating valve shall be installed and maintained in the consumer's piping between the meter and the first point of water use, and set at not more than 50 pounds per square inch when measured at the highest fixture in the structure served. This requirement may be waived if the consumer presents evidence satisfactory to the city that excessive pressure has been considered in the design of water-using devices and that no water will be wasted as a result of high pressure operation. (Ord. 2523 § 2, 2004; Ord. 1807 § 2, 1990).

Section 3. A new section is added to Chapter 16 of the Marysville Municipal Code titled 16.12 National Electric Code and shall read as follows:

NATIONAL ELECTRICAL CODE

Sections:

- 16.12.010 Adoption.**
- 16.12.015 Amendments Made in National Electrical Code. Subsequent Amendments**
- 16.12.020 Table 1- A adopted – Schedule of fees and refunds.**
- 16.12.030 Amendments – Administrative Chapter**
- 16.12.050 Code Amendments, General Provisions.**
- 16.12.060 Prohibited Cables.**
- 16.12.070 Violations and Penalties.**
- 16.12.100 Board of electrical appeals.**
- 16.12.120 Appendices.**
- 16.12.010 Adoption.**

National Electrical Code Adopted. The 2005 National Electrical Code, published by the National Fire Protection Association 2004 edition the Department of Labor and Industries Rules and Regulations for installing electrical wires and equipment and Administrative Rules (Chapter 19.28 RCW), and the Department of Labor and Industries Electrical Installation Law (Chapters-296-46), as adopted by the state of Washington, are hereby adopted by reference except as such portions as are hereinafter deleted, amended

or specified and incorporated herein as fully as if set out at length herein, collectively herein referred to as the “code” unless specifically provided otherwise.

16.12.015 Amendments Made in National Electrical Code.

Subsequent amendments.

All amendments or supplements to the National Electrical Code adopted by the NFPA National Fire Protection Association and by the state of Washington as part of the State Building Code shall become a part of this code in all respects insofar as it is applied and enforced within the jurisdictional boundaries of the city of Marysville.

16.12.020 Table 1 A adopted – Schedule of fees and refunds.

The schedule of fees specified in Table 1- A entitled “Electrical Permit Fees” in attached **Exhibit A Schedule of Fee Tables** is hereby adopted.

The building official may authorize refunding of not more than 70 per cent of the plan review or permit fee paid when no review or work has been done. The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 90 days after the date of the fee payment.

16.12.030 Amendments – Administrative Chapter.

There is added to the administration chapter of the **National Electrical Code** a new Section which shall read as follows:

1. **EXISTING BUILDINGS.** Buildings or structures to which additions, alterations or repairs are made to electrical system, including any and all electrical wires, services, equipment and apparatus shall comply with all the requirements for new work in buildings and structures as set forth in this Code except as specifically provided for in this section.

(a) In the event of unsafe or hazardous wiring, Section 11 shall take precedence.

2. **MAINTENANCE.** All electrical wires, equipment and apparatus shall be maintained in a safe condition. All devices and safeguards which are required by this Code in a building, sign or structure when erected, altered or repaired shall be maintained in a safe and good working order. The owner or his agent shall be responsible for the maintenance of all such electrical wiring, equipment and apparatus.

3. **MOVED BUILDINGS.** All electrical wires, equipment, or apparatus within or on, or attached thereto, which are moved within or into the City shall comply with the provisions of this Code and all other applicable laws, codes and ordinances.

4. **ADMINISTRATIVE AUTHORITY AND ASSISTANTS.** The Building Official is hereby authorized and directed to enforce all the provisions of this Code. For such purpose he/she shall have the powers of a police officer. In accordance with procedure

and with the approval of the chief appointing authority of the City, the Building Official may appoint such number of officers, inspectors and assistants and other employees as may be necessary to carry out the functions of this Code.

5. **RIGHT-OF-ENTRY.** Whenever necessary to make an inspection to enforce any of the provisions of this Code, or whenever the Building Official or his/her authorized representative has reasonable cause to believe that there exists in any building or upon any premises any condition or code violation which makes such building or premises unsafe, dangerous or hazardous, the Building Official or his/her authorized representative may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Building Official by this Code, provided that if such building or premises be occupied, he/she shall first present proper credentials and request entry; and if such building or premises be unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If such entry is refused, the Building Official or his/her authorized representative shall have recourse to every remedy provided by law to secure entry.

When the Building Official or his/her authorized representative shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care or control of any building or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the Building Official or his/her authorized representative for the purpose of inspection and examination pursuant to this Code.

6. **STOP ORDERS.** Whenever any work is being done contrary to the provisions of this Code, the Building Official may order the work stopped by notice in writing served on any persons engaged in doing or causing such work to be done and any such persons shall forthwith stop such work until authorized by the Building Official to proceed with the work.

7. **LIABILITY.** The Building Official or any employee charged with the enforcement of this Code, acting in good faith and without malice for the City in the discharge of his/her duties, shall not thereby render himself liable personally and he is hereby relieved from all personal liability for any damage that may accrue to person or property as a result of any act required or by reason of any act or omission in the discharge of his/her duties. Any suit brought against the Building Official or employee, because of such act or omission performed by him/her in the enforcement of any provisions of this Code, shall be defended by the legal department of the City until final termination of the proceedings. This code is one of general application and nothing herein is intended to create liability or cause action running in favor of individual members of the public.

8. **UNSAFE CONDITIONS.** All electrical wires, equipment and apparatus which are unsafe or not provided with adequate safeguards, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use constitute a

hazard to safety or health, or public welfare by reason of inadequate maintenance, obsolescence, fire hazard, disaster damage, or abandonment, as specified in this Code or any other effective ordinance arm for the purpose of this section, considered unsafe conditions. All such unsafe conditions are hereby declared to be public nuisances and the owner or his agent must abate by repair, rehabilitation, demolition, or removal in accordance with this Code or by any other procedures provided by law.

9. VIOLATION. It shall be unlawful for any person, firm, or corporation to install, alter or extend any electrical equipment in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Code.

10. PERMITS AND INSPECTIONS.

(a) Permits required: No person, firm or corporation shall install, alter, replace or extend any electrical work or equipment except replacement of kind or as provided for in Section 11, "Work Started Without a Permit," without first obtaining a separate electrical permit for each installation, alteration, replacement or extension from the Building.

(b) Application: To obtain a permit the applicant shall first file an application therefore in writing on a form furnished for that purpose. Every such application shall:

- (1) Identify and describe the work to be covered by the permit for which application is made;
- (2) Describe the land on which the proposed work is to be done, by house and street address;
- (3) Indicate the use or occupancy for which the proposed work is intended;
- (4) Be accompanied by plans and specifications as required in Subsection (d) of this section;
- (5) State the valuation of the proposed work;
- (6) Be signed by the permittee;
- (7) Give such other information as reasonably may be required by the Building Official.

(c) To Whom Permits May Be Issued: A permit may be issued to anyone as permitted by Chapter 19.28 RCW.

(d) Plans and Specifications: With each application for a permit, and when required by the Building Official for enforcement of any provisions of this Code, two sets of plans, service diagrams, specifications, and other information deemed necessary by the Building Official, shall be submitted. The Building Official may require plans and

specifications to be prepared and designed by an electrical engineer or electrical contractor licensed by the State to practice as such. The plans shall be drawn upon substantial paper or cloth and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that it will conform to the provisions of this Code and all other relevant laws, ordinances, rules and regulations.

(e) Plan Checking: The application, plans and specifications filed by the applicant for a permit shall be checked by the Building Official. If the Building Official is satisfied that the work described in an application for a permit and the plans filed therewith conform to the requirements of this Code and other pertinent laws and ordinances and that the fee specified in Section 11 has been paid, he may issue a permit therefore to the applicant.

(f) Validity: The issuance or granting of a permit or approval of plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of the Code or any other law or regulation. No permit presuming to give authority to violate or cancel the provisions of this Code shall be valid, except insofar as the work which it authorized is lawful.

The issuance of a permit based upon plans and specifications shall not prevent the Building Official from thereafter requiring the correction of errors in said plans and specifications or from preventing work being carried on thereunder when in violation of the Code or of any other ordinance of the City.

(g) Suspension or Revocation: The Building Official may, in writing, suspend or revoke a permit issued under provisions of this Code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this Code.

(h) Inspections:

(1) All construction, work and equipment, for which a permit is required by this Code shall be subject to inspections by the Building Official to insure compliance with this Code.

(2) That portion of any construction, work and equipment intended to be concealed shall not be concealed until inspected and approved.

(3) Neither the City nor the Building Official nor his duly appointed assistant shall be liable for any expense entailed in the removal or replacement of any material required to allow an inspection.

(4) The Building Official may require that every request for inspection be filed at least one day before such inspection is desired.

11. ELECTRICAL PERMIT FEES. A fee for each electrical permit shall be paid to the Building Official as set forth in Table 1-A Electrical Fees in attached **Exhibit A Schedule of Fee Tables**.

12. VIOLATION CITATION — ORDER. Notwithstanding any language in this Code, in the event a time period is established in: (1) a violation citation issued by a Code Compliance Officer or the Building Official, or his or her designee, or (2) an order issued by the Violations Hearing Examiner, said time period shall supersede the time period provided by this Code.

16.12.050 Code amendments, General provisions.

Each of the codes and regulations adopted by reference in Section 16.05.010 of this chapter is hereby amended by the addition of the following:

It is expressly the purpose of this Code to provide for and promote the health, safety and welfare of the general public, and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this Code.

It is the specific intent of this Code to place the obligation of complying with these regulations upon the permit applicant and any person owning or controlling any building or structure within its scope and no provision nor any term used in this Code is intended to impose any duty whatsoever upon the City or any of its officers, employees or agents, for whom the implementation or enforcement of this Code shall be discretionary and not mandatory.

Nothing contained in this Code is intended to be nor shall be construed to create or form the basis for any liability on the part of the City or its officers, employees or agents, for any injury or damage resulting from the failure of a building to comply with the provisions of this Code, or by reason or in consequence of any inspection, notice, order, certificate, permission or approval authorized or issued or done in connection with the implementation or enforcement of this Code, or by reason of any action or inaction on the part of the City related in any manner to the implementation or the enforcement of this Code by its officers, employees or agents.

Notwithstanding any language in this Code, it is not the intent of the Code to create a duty and/or cause of action running to any individual or identifiable person but rather any duty is intended to run only to the general public.

16.12.060. Prohibited cables.

WAC 296-46-155 of the Department of Labor and Industries Rules and Regulations for installing electric wires and equipment and administrative rules as herein adopted is hereby amended by adding the following:

Regardless of any other provisions in this chapter, NM, NMS, NMC, SE, and USE cable shall not be allowed in non-dwelling occupancies. For the purpose of these section motels, hotels, and the facilities listed in tables 1 and 2 (WAC 296) are not considered to be dwelling occupancies. Family child daycare homes are exempt from this section.

16.12.070. Violations and Penalties.

Each of the codes and regulations adopted in this chapter is hereby amended by the addition of the following:

Violations and Penalties.

1. A violation or the provisions of this Code shall be subject to the City's Civil Enforcement Procedures as set forth in Title 4 MMC and any person, firm or corporation who violates any provision of this Code shall be subject to said enforcement procedures. Provided, however, notwithstanding language to the contrary, any violation citation issued concerning a violation of this Code shall be issued by the Building Official or his/her designee
2. Any person, firm or corporation who violates any provision of this Code shall be deemed guilty of a misdemeanor, and each such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continued or permitted, and upon conviction of any such violation such person firm or corporation shall be punishable by a fine nor to exceed one thousand dollars, or imprisonment in jail not to exceed ninety days, or by both such fine and imprisonment.
3. The enforcement provisions and procedures provided in this Code are not exclusive and the City if authorized to pursue any remedy it deems appropriate or as otherwise provided by law.
4. The issuance or granting of a permit or approval of plans and/specifications shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of this Code or any other law or regulation. No permit presuming to give authority to violate or cancel the provisions of this Code shall be valid, except insofar as the work or use, which it authorized, is lawful.
5. The issuance or granting of a permit or approval of plans and/or specifications shall not prevent the Building official or designee from thereafter requiring the correction of errors in said plans and/or specifications or from preventing construction operation being carried on thereunder when in violation of this Code or of any other ordinance, law or regulations or from revoking any certificate of approval when issued in error.

16.12.100 Board of Electrical appeals.

Appeals from any ruling made under this chapter may be made to the building code board of appeal. Procedural rules concerning appeals shall be as provided in the building code.

16.12.200 Appendices.

Appendices A, B, C, D, E, F, G to the International Electrical Code, 2005 Edition, are adopted, incorporated by this reference, and made a part of this chapter as if fully set forth in this chapter.

Section 4. Marysville Municipal Code Chapter 16.28 is amended to read as follows.

Chapter 16.28 MECHANICAL CODE

Sections:

[16.28.010](#) Adoption by reference.

[16.28.015](#) Fee schedule adopted and refunds.

[16.28.020](#) Subsequent amendments.

[16.28.035](#) Solid-fuel-burning appliances.

[16.28.040](#) Penalty for violation.

16.28.045 Appeals.

16.28.010 Adoption by reference.

A certain document, not less than one copy of which is filed in the office of the building official of the city of Marysville, being marked and designated as the “International Mechanical Code, 2006 Edition,” and appendices Chapter A thereto, published by the International Code Council, and the International Fuel Gas Code, 2006 Edition, is adopted as the mechanical code of the city of Marysville for regulating the installation and maintenance of heating, ventilating, cooling and refrigeration systems, providing for the issuance of permits and the collection of fees therefor, and providing penalties for the violation thereof. Each and all of the regulations, provisions, penalties, conditions and terms of said code are incorporated and made a part of this chapter as if fully set forth herein. (Ord. 2523 § 3, 2004; Ord. 2204 § 5, 1998; Ord. 2062 § 7, 1996; Ord. 1948 § 14, 1993; Ord. 1477 § 1, 1986; Ord. 1374 § 1, 1984; Ord. 1080 § 1, 1979; Ord. 849 § 1, 1975).

16.28.015 Fee schedule adopted and refunds.

Sections 106.5.2 and 2003 IMC Table 1-A of the International Mechanical Code, “Mechanical Permit Fees,” in attached **Exhibit A Schedule of Fee Tables** is hereby adopted.

Section 106.5 Fee funds amended – Refunds:

The building official may authorize refunding of not more than 80 percent of the plan review or permit fee paid when no review or work has been done. The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 90 days after the date of the fee payment.

(Ord. 2523 § 3, 2004).

16.28.020 Subsequent amendments.

All amendments or supplements to the International Mechanical Code or the appendices Chapter A thereto hereinafter adopted by the International Code Council shall become a part of the code in all respects insofar as it is applied and enforced within the jurisdictional boundaries of the city of Marysville. (Ord. 2523 § 3, 2004; Ord. 1080 § 2, 1979; Ord. 849 § 2, 1975).

16.28.035 Solid-fuel-burning appliances.

No used solid-fuel-burning appliances shall be installed in new or existing buildings unless such device is United States Environmental Protection Agency certified, including pellet stoves. (Ord. 2523 § 3, 2004; Ord. 1374 § 2, 1984; Ord. 1189, 1981).

16.28.040 Penalty for violation.

Any person willfully violating or failing to comply with any of the provisions of this chapter shall, upon conviction, be punished according to the provisions set forth in MMC 1.01.080. (Ord. 2523 § 3, 2004; Ord. 731 § 3, 1971).

16.28.045 Appeals

Appeals from any ruling made under this chapter may be made to the building code board of appeals. Procedural rules concerning appeals shall be as provided in the building code.

Section 5. Severability.

If any word, phrase, sentence, provision, or portion of this ordinance is declared to be invalid or unenforceable, it shall not affect validity or enforceability of the remaining words, phrases, sentences, provisions or portions of this ordinance.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2008.

CITY OF MARYSVILLE

By _____
DENNIS KENDALL, MAYOR

ATTEST:

By _____
TRACY JEFFRIES, CITY CLERK

Approved as to form:

By _____
GRANT K. WEED CITY ATTORNEY

Date of Publication: _____

Effective Date (5 days after publication): _____

Exhibit A Schedule of Fee Tables
INTERNATIONAL BUILDING and RESIDENTIAL CODE

TABLE 1-A

Table 1-A – Building Permit Fees

The fees for building permits are per Table No. 1-A of the 2006 IBC/IRC, as adopted by the City Council, and are based on the valuation of the work being performed.

Total Valuation	Fee
\$1.00 to \$500.00	\$30.00
\$501.00 to \$2,000.00	\$30.00 for the first \$500.00 plus \$3.05 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.25 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
\$1,000,000.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00 or fraction thereof.

- 1.A Plan Review Fees (paid at the time of submitting plans) equal to 65% of the building permit fees
 - B Re-Inspection Fees for called inspections when access is not provided or work is not ready: \$75.00 under IBC/IRC Section 108
 - C Revision Fees for additional plan review or inspections when the work authorized by permit changes: \$75.00 per Table 1-A under IBC/IRC Section 108 (minimum charge – one hour)
 - D Inspections for which no fee is specifically indicated: \$75.00 per hour * (minimum charge – one hour)
2. Building valuation shall be based on the building valuation data sheet contained within each year’s May issue of the “Building Safety Journal” magazine published by the International Code Council (ICC) including the “The Cost Modifier of 1.09” , on file with the City Building Official.

3. Decks, carports (open on three-sides), ramps, unheated sunrooms, cover porches and stairs are assessed at \$15.00 per square foot per submittal.
4. Unfinished basements (no heat, insulation and/or sheetrock) are assessed at \$40.00 per square foot.
5. Single wide mobile homes \$200.00, Double wide \$300.00 for permit base fee.
6. State Building Code Council surcharge fee \$4.50 per building permit, plus \$2.00 each dwelling unit.
7. For miscellaneous applications, plans reviews and permits including expired applications and permits for which no fee is specified fee will be at a rate of \$75 dollars per hour with a minimum fee of one hour at \$75. *

*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

GRADING PLAN REVIEW FEES

50 cubic yard (38.2 m ³) or less, when located in a designated critical area.....	\$ \$100.00
51 to 100 cubic yards (40 m ³ to 76.5 m ³).....	\$ 120.00
101 to 1,000 cubic yards (77.2 m ³ to 764.6 m ³).....	\$ 160.00
1,001 to 10,000 cubic yards (765.3 m ³ to 7645.5 m ³).....	\$ 200.00
10,001 to 100,000 cubic yards (7646.3 m ³ to 76 455m ³)	\$300.00 for the first 10,000 cubic yards (7645.5 m ³), plus \$40.00 for each additional 10,000 yards (7645.5 m ³) or fraction thereof.
100,001 to 200,000 cubic yards (76 456 m ³ to 152 911 m ³)	\$ 300.00 for the first 100,000 cubic yards (76 455 m ³), plus \$60.00 for each additional 10,000 cubic yards (7645.5m ³) or fraction thereof.
200,001 cubic yards (152 912 m ³) or more --	\$500.00 for the first 200,000 cubic yards (152911 m ³), plus \$100.00 for each additional 10,000 cubic yards (7645.5 m ³) or fraction thereof.
Other Fees:	
1. Additional plan review required by changes, additions or revisions to approved plans.....	\$75.00 per hour (minimum charge - one-hour)
2. Clearing plan review as specified under M.M.C. 19.28.020 or.....	\$75.00 per hour*

*Or the total hourly cost to the jurisdiction, whichever is greatest. This cost shall include supervision, overhead, equipment, hourly wage and fringe benefits of the employees involved.

For miscellaneous applications, plans reviews and permits including expired applications and permits for which no fee is specified fee will be at a rate of \$75 dollars per hour with a minimum fee of one hour at \$75.*

GRADING PERMIT FEES

Base permit fee.....	\$100.00
50 cubic yard (38.2 m ³) or less, when located in a designated critical area.....	\$ 120.00
51 to 100 cubic yards (40 m ³ to 76.5 m ³).....	\$160.00
101 to 1,000 cubic yards (77.2 m ³ to 764.6 m ³)--	\$200.00 for the first 100 cubic yards (76.5 m ³) plus \$20.00 for each additional 100 cubic yards (76.5 m ³) of a fraction thereof.
1,001 to 10,000 cubic yards (765.3 m ³ to 7645.5 m ³)--	\$300.00 for the first 1,000 cubic yards (764.6 m ³), plus \$40.00 for each additional 1,000 cubic yards (764.6 m ³) or fraction thereof.
10,001 to 100,000 cubic yards (7646.3 m ³ to 76 455m ³) --	\$ 500.00 for the first 10,000 cubic yards (7645.5 m ³), plus \$60.00 for each additional 10,000 yards (7645.5 m ³) or fraction thereof.
100,001 cubic yards (76 456 m ³) or more --	\$500.00 for the first 100,000 cubic yards (76 455m ³), plus \$80.00 for each additional 10, 000 cubic yards (7645.5 m ³) or fraction thereof.

Other Inspections and Fees:

- | | |
|--|--------------------|
| 1. Inspections outside of normal business hours (minimum charge – one hour)..... | \$75.00 per hour * |
| 2. Re-inspection fees assessed under provisions of UBC Section 108.8..... | \$75.00 per hour* |
| 3. Inspections for which no fee is specifically indicated (minimum charge – one-hour)..... | \$75.00 per hour * |
| 4. Clearing permit fees as specified under M.M.C. 19.28.020 or..... | \$75.00 per hour* |

*Or the total hourly cost to the jurisdiction, whichever is greatest.
This cost shall include supervision, overhead, equipment, hourly wage and fringe benefits of the employees involved.

For miscellaneous applications, plans reviews and permits including expired applications and permits for which no fee is specified fee will be at a rate of \$75 dollars per hour with a minimum fee of one hour at \$75.*

TABLE 1-A

UNIFORM PLUMBING CODE 2006

2006 UPC

TABLE 1-A – PLUMBING PERMIT FEES

Permit Issuance

1. For issuing each permit.....	\$30.00
2. For issuing each supplemental permit.....	\$30.00

Unit Fee Schedule (in addition to items 1 and 2 above)

1. For each plumbing fixture on one trap or a set of fixtures on one trap (including water, drainage piping and backflow protection therefore).....	\$15.00
2. For each grinder pump.....	\$150.00
3. Rainwater systems – per drain (inside building).....	\$15.00
4.* Water service connection: water line from meter to house or structure.....	\$50.00
5. For each private sewage disposal system.....	Approval Required from Health/Snohomish County
6. For each water heater and/or vent.....	\$15.00
7. For each gas-piping system of one to five outlets.....	\$15.00
8. For each additional gas piping system outlet, per outlet.....	\$15.00
9. For each industrial waste pretreatment interceptor including its trap and vent, except kitchen-type grease interceptors functioning as fixture traps.....	\$15.00
10. For each installation, alteration or repair of water piping and/or water treating equipment, each.....	\$15.00
11. For each repair or alteration of drainage or vent piping, each fixture.....	\$15.00
12. For each lawn sprinkler system on any one meter including backflow protection devices therefore.....	\$15.00
13. For atmospheric-type vacuum breakers not included in item 12:to 5.....	\$10.00
over 5, each.....	\$10.00
14. For each backflow protective device other than atmospheric type vacuum breakers:	
2 inch (51 mm) diameter and smaller.....	\$10.00
over 2 inch (51 mm) diameter.....	\$10.00
15. For each graywater system.....	\$15.00
16. For initial installation and testing for a reclaimed water system.....	\$15.00
17. For each annual cross-connection testing of a reclaimed water system (excluding initial test).....	\$15.00
18. For each medical gas piping system serving one to five inlet(s)/outlet(s) for a specific gas.....	\$25.00
19. For each additional medical gas inlet(s)/outlet(s).....	\$25.00
20. For each fire sprinkler system including \$.50 per head.....	\$50.00
21. For each industrial waste pretreatment grease interceptor including its trap and vent, and inspections.....	\$30.00

Other Inspections and Fees:

1. Inspections outside of normal business hours.....	\$75.00
2. Reinspection fee under Section 103.5.6.....	\$75.00
3. Inspections for which no fee is specifically indicated.....	\$75.00
4. Additional plan review required by changes, additions or revisions to approved plans (minimum charge – one hour).....	\$75.00

5. Jurisdiction may issue permit fees from project valuation and/or the hourly cost to cover employee inspection time, whichever is greatest.
6. Typical plan review fees for plumbing work shall be equal to 25% of the total permit fee as set forth in Table 1-A and 103.4
7. For miscellaneous applications, plans reviews and permits including expired applications and permits for which no fee is specified fee will be at a rate of \$75 dollars per hour with a minimum fee of one hour at \$75.*
*Or the total hourly cost to the jurisdiction, whichever is greatest. This cost shall include supervision, overhead, equipment, hourly wage and fringe benefits of the employees involved.

* Put on building application for plumbing if new construction or connecting to city sewer and water

CITY OF MARYSVILLE
Table 1-A ELECTRICAL FEES

Effective July 1, 2007

RESIDENTIAL (Single Family Or Duplex)

New construction, addition or remodel. Additions and remodels based on size of project.

Under 1000 square feet	\$100
1001 to 2000 square feet	\$150
2001 to 3000 square fee	\$200
3001 square feet & over	\$250
Garages and outbuildings (stand alone projects)	\$100
Service/panel change or alteration	\$75
Circuits added/alterd without service change	
1 or 2 circuits	\$50
3 or more circuits	\$75
Meter/mast repair or alteration	\$75

COMMERCIAL & MULTI-FAMILY (including fire alarm)

Total valuation (time & materials)

\$250 or less	\$50
\$251 to \$5,000	\$50 + 3% of cost over \$250
\$5,001 to \$50,000	\$175 + 1.5% of cost over \$5,000
\$50,001 to \$250,000	\$925 + .9% of cost over \$50,000
\$250,001 to \$1,000,000	\$3,175 + .7% of cost over \$250,000
\$1,000,001 and above	\$10,000 + .4% of cost over \$1,000,000

COMMERCIAL LOW VOLTAGE/POWER LIMITED

(Use the valuation schedule shown above for fire alarms)

70 or less connections	\$50
over 70 connections	\$50 + .50 per connection

MISCELLANEOUS

Temporary Service	\$50
Manufactured/mobile home service (does not include out buildings)	\$75
Signs	\$50
Carnival	\$200
Inspection of work done without permit	\$75
Re-inspection fee (not ready, corrections not made)	\$75
Plan review fee or inspection not specified elsewhere (1/2 hr. minimum)	\$ 75/hr

2006 IMC

TABLE 1-A – MECHANICAL PERMIT FEES

Permit Issuance and Heaters

- 1.....For the issuance of each mechanical permit\$30.00
- 2. For issuing each supplemental permit for which the original permit has not expired, been canceled or finalized\$15.00

Unit Fee Schedule

(Note: The following do not include permit-issuing fee.)

1. Furnaces

- For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, up to and including 100,000 Btu/h (29.3kW).....\$20.00
- For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance over 100,000 Btu/h (29.3kW).....\$20.00
- For the installation or relocation of each floor furnace, including vent.....\$20.00
- For the installation or relocation of each suspended heater, recessed wall heater or floor-mounted unit heater.....\$20.00

2. Appliance Vents

- For the installation, relocation or replacement of each appliance vent installed and not included in an appliance permit.....\$20.00

3. Repairs or Additions

- For the repair of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Mechanical Code\$20.00

4. Boilers, Compressors and Absorption Systems

- For the installation or relocation of each boiler or compressor to and including 3 horsepower (10.6kW), or each absorption system to and including 100,000 Btu/h (29.3 kW).....\$20.00
- For the installation or relocation of each boiler or compressor over three horsepower (10.6 kW) to and including 15 horsepower (52.7 kW), or each absorption system over 100,000 Btu/h (29.3 kW) to and including 500,000 Btu/h (146.6 kW).....\$30.00
- For the installation or relocation of each boiler or compressor over 15 horsepower (52.7 kW) to and including 30 horsepower (105.5 kW), or each absorption system over 500,000 Btu/h (146.6 kW) to and including 1,000,000 Btu/h (293.1 kW).....\$40.00
- For the installation or relocation of each boiler or compressor over 30 horsepower (105.5 kW) to and including 50 horsepower (176 kW), or each absorption system over 1,000,000 Btu/h (293.1 kW) to and including 1,750,000 Btu/h (512.9 kW).....\$60.00
- For the installation or relocation of each boiler or compressor over 50 horsepower (176 kW), or each absorption system over 1,750,000 Btu/h (512.9 kW).....\$99.00

5. Air Handlers

- For each air-handling unit to and including 10,000 cubic feet per minute (cfm) (4719 L/s), including ducts attached thereto\$20.00
- Note: This fee does not apply to an air-handling unit which is a portion of a factory-assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere in the Mechanical Code.
- For each air-handling unit over 10,000 cfm (4719 L/s).....\$20.00

6. Evaporative Coolers

- For each evaporative cooler other than portable type\$20.00

7. Ventilation and Exhaust

- For each ventilation fan connected to a single duct\$20.00
- For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit.....\$20.00
- For the installation of each hood which is served by mechanical exhaust, including the ducts for such hood.....~~\$12.00~~ 20.00

8. Incinerators

- For the installation or relocation of each domestic-type incinerator\$20.00
- For the installation or relocation of each commercial or industrial-type incinerators\$16.00

9. Miscellaneous

- For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories, or for which no other fee is listed in the table i.e.: fire/smoke dampers.....\$20.00
- When Chapter 13 is applicable, permit fees for fuel gas piping shall be:
Gas Piping System
- For each gas piping system of one to four outlets.....\$20.00
- For each additional outlet exceeding four, each.....\$10.00
- When Chapter 14 is applicable, permit fees for process piping shall be as follows:
- For each hazardous process piping system (HPP) of one to four outlets\$10.00
- For each hazardous process piping system of five or more outlets, per outlet.....\$10.00
- For each nonhazardous process piping system (NPP) of one to four outlets\$10.00
- For each nonhazardous piping system of five or more outlets, per outlet.....\$10.00

Other Inspections and Fees:

- 1. Inspections outside of normal business hours, per hour (minimum charge –two hours).....\$75.00*
- 2. Reinspection fees assessed under provisions of Section 106.5.2, per inspection\$75.00*
- 3. Inspections for which no fee is specifically indicated, per hour (minimum charge – one-half hour)\$75.00**
- 4. Additional plan review required by changes, additions or revisions to plans or to plans for which an initial review has been completed

(minimum charge – one-half hour)\$75.00*

5. Jurisdiction may issue permit fees from project valuation and/or the hourly cost to cover employee inspection time, whichever is greatest.

6. Typical plan review fees for mechanical work shall be equal to 25% of the total permit fee as set forth in Table 1-A and 106.5.2.


7. For miscellaneous applications, plans reviews and permits including expired applications and permits for which no fee is specified fee will be at a rate of \$75 dollars per hour with a minimum fee of one hour at \$75.

*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 23, 2008

AGENDA ITEM: Construction Plan Approval Code amendment to Chapter 15.09 of the Marysville Municipal Code	AGENDA SECTION:	
PREPARED BY: John Cowling, Assistant Public Works Director / City Engineer	AGENDA NUMBER:	
ATTACHMENTS: 1. Draft Ordinance.	APPROVED BY: 	
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

The Marysville Municipal Code does not currently have specific language regarding the expiration date of approved Civil Construction Plans. The proposed addition of this new section (15.09.080) to Chapter 15.09 establishes that Civil Construction Plan Approval expires within 60 months of approval or upon expiration of the Preliminary Plat or Site Plan approval. It also makes provision for a one year extension if substantial progress has been made to complete construction.

The intent of this section is to ensure consistency between the expiration dates of Preliminary Plat or Site Plan approval and Civil Construction Plan approval, at which time Construction Plans would need to be resubmitted under current code requirements.

RECOMMENDED ACTION: Public Works and Community Development staff recommends Council approve the amendment to include the new section 15.09.080 to Chapter 15.09 as proposed.
COUNCIL ACTION:

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE AMENDING ORDINANCE 2202, CODIFIED AS CHAPTER 15.09 OF THE MARYSVILLE MUNICIPAL CODE, RELATING TO CONSTRUCTION PLAN APPROVALS.

WHEREAS, the City has determined that it is necessary and appropriate to establish a 36 month time period for construction plan approvals for projects reviewed under the Development Code;

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

Section 1: Ordinance 2202 as amended and Chapter 15.09 of the Marysville Municipal Code are hereby amended by adopting a new section 15.09.080 to read as follows:

15.09.080 Construction plan approval.

- (1) Construction plans for projects reviewed under the Development Code shall be approved for a period of 60 months from the date the City signs the “City of Marysville Construction Drawing Review Acknowledgment” block included on the civil construction plans or upon expiration of Preliminary Plat or Site Plan Approval.
- (2) The City may grant an extension of up to 12 months, if substantial progress has been made by the applicant to complete construction of the approved project. Extensions shall be considered on a case by case basis by the Public Works Director or designee and will require a letter to be submitted to the City requesting the extension. Said letter shall demonstrate that the project has made substantial construction progress, the reason for the extension request, and an estimated timeline for completion of construction.
- (3) When the approval period (or any extension thereof) expires, the City’s approval of the construction plans shall be deemed automatically withdrawn. In order to receive further consideration by the City after such expiration and automatic withdrawal, construction plans must be re-submitted and must comply with then current code requirements.

Section 2: Effective Date. This ordinance shall be effective five days after the date of publication.

ORDINANCE - 1

/wpf/mv/ord.ch 15.09 construction plan approvals

Section 3: Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2008.

CITY OF MARYSVILLE

By _____
Dennis L. Kendall, Mayor

ATTEST:

By _____
Tracy Jeffries, City Clerk

Approved as to form:

By _____
Grant K. Weed, City Attorney

Date of Publication: _____


ORDINANCE - 2

/wpf/mv/ord.ch 15.09 construction plan approvals

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 23rd, 2008

AGENDA ITEM: Cottage Housing Ordinance	AGENDA SECTION:	
PREPARED BY: Cheryl Dungan, Senior Planner	AGENDA NUMBER:	
ATTACHMENTS: 1. Cottage Housing Summary to Council 2. Draft Ordinance 3. Design Guidelines 4. Planning Commission Minutes 5. Map of Downtown Planning Area 1	APPROVED BY: 	
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

The proposed draft amendments adopt a new cottage housing section, add a cottage housing definition, and amend the permitted use matrix to allow cottage housing developments as a conditional use permit within specific areas of the City. The attached ordinance is consistent with the Planning Commission's recommendation. Attached is a staff summary of the proposed ordinance.

<p>RECOMMENDED ACTION: Planning Staff recommends the Council approve the Cottage Housing Ordinance as proposed. Other options include 1) remanding the SMP to the Planning Commission for additional review; 2) disapproving the ordinance; or 3) holding additional an public hearing on the proposed adoption.</p>
<p>COUNCIL ACTION:</p>



COMMUNITY DEVELOPMENT DEPARTMENT
80 Columbia Avenue ♦ Marysville, WA 98270
(360) 363-8100 ♦ (360) 651-5099 FAX

MEMORANDUM

DATE: June 9, 2008

TO: City Council

FROM: Cheryl Dungan, Senior Planner

RE: Cottage Housing Summary

The Planning Commission held four workshops and a public hearing on the draft cottage housing ordinance, they also participated in a field trip with city staff to view existing cottage housing developments prior to code development. Some of the major issues discussed at the workshop(s) included:

Density incentives – In order to encourage developers to utilize the cottage housing ordinance, a density bonus of two times the underlying zoning is built into the code. Cottages can be part of an affordability strategy, as they can take pressure off the single family market by providing an alternative to those who like the privacy of single-family houses but need less space. The big economic edge for cottages is low land cost per unit.

Height and bulk of structures – In order to avoid tall, skinny boxes being constructed that might overwhelm neighborhoods, a requirement was written that restricts the building size to a maximum of 1,200 sq. ft., with the main floor area being limited to a maximum of 800 sq. ft., this restriction requires the second story to not exceed 50% of the main floor. Second, height restrictions were written that effectively limit cottages to one and a half stories. Regulating the size and height of the cottage units will help these types of developments blend into existing single-family neighborhoods. The surest way to destroy public support for cottage development would be to build cheap little boxes that add density while degrading the aesthetics of the neighborhood. Garages and carports are required to be designed to be architecturally compatible with the cottage units.

Clusters – One of the main concepts behind the cottage housing concept is to maintain a sense of community within the development. The proposed ordinance requires a minimum of 4 cottage units and a maximum of 12 cottage units be allowed in a cottage development. It is generally accepted that when clusters of more than 12 units are created the sense of close community begins to diminish and when less than 4 are clustered it's not enough to create the sense of an internal community. Remember many clusters may make up a development.

Common areas/walkways/porches – Common areas are key to developing the sense of neighborhood that is desired within these types of development. The draft ordinance provides for both public and private open space within the development, as well as front porches and walkways throughout the development to provide residents an opportunity to meet and socialize with their neighbors.

Parking – In order to avoid large expanses of parking, parking is required to be dispersed throughout the cottage community in clusters of not more than five adjoining spaces. Parking requirements range from 1 space for units under 700 sq. ft., 1.5 spaces per unit for units 700-

1,000 sq. ft. in size, and 2 spaces per unit for units over 1,000 sq. ft. in size. All parking must be screened from public streets and adjacent residential uses by landscaping and/or architectural screening.

What is cottage housing?

Cottage housing is generally defined as small detached single family homes built in clusters, for a single person or small family, around common open space, with a defined maximum floor area, and on platted lots or as condominiums.

Why cottage housing?

The majority of Americans prefer to live in single-family housing. Cottage housing provides an option that preserves the privacy and personal space of a detached house in a smaller and less costly unit. In the marketplace they offer an alternative to the two choices most often available: single family homes and condominiums. For those looking for a detached house, cottages provide a way to trade quantity of space for quality of space.

The cottage home is appealing to several segments of our society: retired empty nesters, single adults, and very small families are generally the people who buy these homes. These segments are growing.

Adoption of the proposed ordinance would give developers another choice of housing type when proposing infill developments within the City of Marysville.

Is cottage housing a new concept?

No, cottage housing is nothing new. If you look around in some older parts of cities you'll find developments fitting into this "new urban concept". But it is new in that market factors and zoning regulations, in recent years past, have not encouraged its development.

In Washington at a minimum the cities of Kirkland, Mukilteo, Langley, Redmond, and Seattle, have adopted cottage housing ordinances. The codes don't drastically differ from each other but are very similar differing mainly in details designed to meet the community specific needs, concerns, and vision. Tables 1 and 2 below summarize how various jurisdictions address cottage housing and how Marysville's draft ordinance compares:

Table 1 – Cottage Housing

Jurisdiction	Min Lot Area	Min # units	Max # units	Density	Parking
Marysville (proposed)	Not specified	4	12	2x underlying Zoning	Under 700 sf 1 space; 700-1,000 sf 1.5 spaces; 1,000+ 2 spaces
Mukilteo	½ acre	4	12	2x underlying zone	2.5 spaces/unit
Redmond	½ acre	4	12	1.75 x underlying zone	1.5 spaces/unit
Langley	11,616	4	Not specified	15 units/acre	1.25 spaces/unit
Seattle	6,400	4	12	1du/1,600 sf	1
Kirkland	Not specified	4	12	2x underlying zoning	Under 700 sf 1 space; 700-1,000 sf 1.5 spaces; 1,000+ 2 spaces

Table 2 – Cottage Housing

Jurisdiction	Max Unit Size	Max Height	Exterior Setbacks	Internal Setbacks	Max Bldg coverage
Marysville (proposed)	1,200 sf	18' Or 4:12 pitch -23' Or 6:12 pitch -28'	Front yard 10' Rear yard 10' Side yard 5'	6' between structures or 10' if principal access	40% bldg 60% imp
Mukilteo	1 story 1,000 sf 1.5 story 1,200 sf	18'-22'	10' unless side or rear access then 15'	8'	50% bldg 60% imp
Redmond	1,000 sf	18' Or 6:12 pitch -25''	10'	10'	40% bldg 60% imp
Langley	975 sf	18' Or 6:12 pitch -25'' Or 3:12 pitch – 30'	Front yard 10' Rear yard 10' Side yard 5'	Front yard 10' Rear yard 10' Side yard 5'	40%
Seattle	975 sf	18' Or 6:12 pitch -28' Or 4:12 pitch – 23'	Front yard 10' Rear yard 10' Side yard 5' w/prin entrance 10'	6' w/principle entrance 10'	40%
Kirkland	1,500 sf	18' Or 6:12 pitch -25''	Front yard 20' Other 10'	Front yard 20' Other 10'	50% (total impervious)

Also attached are 'draft' cottage housing design guidelines, which provide guidance to the types of development that would be allowed under the proposed ordinance.

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON RELATED TO COTTAGE HOUSING, ADDING A NEW SECTION 19.14.040 COTTAGE HOUSING DEVELOPMENTS; ADDING A NEW SECTION 19.06.120 COTTAGE HOUSING; AMENDING SECTION 19.08.030 TABLE 1; AND ADDING A FOOTNOTE 23 TO 19.08.030 (2).

WHEREAS, the City Council of the City of Marysville does find that from time to time it is necessary and appropriate to review and revise provisions of the City's Zoning Code (Title 19 MMC); and

WHEREAS, the City's Planning Commission and professional planning staff are recommending that the City's development regulations related to Cottage Housing need to be added in order to encourage developers to utilize more flexible land use development approaches, which can result in projects that accomplish the goals of the Comprehensive Plan and that further the public interest of the City and its citizens; and

WHEREAS, the amendments proposed for adoption in this ordinance are consistent the following required findings of MMC 19.56.030:

- (1) The amendments are consistent with the purposes of the comprehensive plan;
- (2) The amendments are consistent with the purpose of Title 19 MMC;
- (3) There have been significant changes in the circumstances to warrant a change;
- (4) The benefit or cost to the public health, safety and welfare is sufficient to warrant the action; and

WHEREAS, after providing notice to the public as required by law, on February 12, 2008 the Marysville Planning Commission held a public hearing on proposed changes to the City's zoning code and received public input and comment on said proposed revisions; and

WHEREAS, at a public meeting on June 23rd, 2008 the Marysville City Council reviewed and considered the amendments to the zoning code proposed by the Maryville Planning Commission;

WHEREAS, the City has submitted the proposed development regulation revisions to the Washington State Department of Community, Trade, and Economic Development as required by RCW 36.70A.106; and

WHEREAS, the City has complied with the requirements of the State Environmental Policy Act, Ch. 43.21C RCW, (SEPA) by adopting a determination of non-significance for the adoption of the proposed revisions to the City's development regulations;

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

Adding a new Section 19.14.040 'Cottage Housing Developments' to read as follows:

MMC 19.14.040 Cottage Housing Developments

(1) Purpose.

The purpose of this section is to:

- (a) Provide a housing type that responds to changing household sizes and ages (e.g., retirees, small families, single person households);
- (b) Provide opportunities for ownership of small, detached units within a single-family neighborhood;
- (c) Encourage creation of more usable space for residents of the development through flexibility in density and lot standards;
- (d) Support the growth management goal of more efficient use of urban residential land; and
- (e) Provide guidelines to ensure compatibility with surrounding uses.

(2) Applicability.

Cottage housing developments are allowed in the following areas: residentially zoned properties within in Downtown Planning Area 1; single-family zones where properties are encumbered by at least 35% critical areas and associated buffers; and single-family zoned parcels adjacent, including across the street in some cases, to multi-family, commercial and industrial zoned parcels, as a transition to multi-family, commercial and industrial uses.

(3) Accessory dwelling units shall not be permitted in cottage housing developments.

(4) Density and Minimum Lot Area.

- (a) Cottage housing developments shall contain a minimum of four (4) cottages arranged on at least two (2) sides of a common open space or configuration as otherwise approved by the director, with a maximum of twelve (12) cottages per development.
- (b) On a lot to be used for a cottage housing development, existing detached single-family residential structures, which may be nonconforming with respect to the standards of this section, shall be permitted to remain, but the extent of the nonconformity may not be increased. Such nonconforming dwelling units shall be included in the maximum permitted cottage density.
- (c) Cottage housing developments shall be allowed a density not to exceed 2.0 times the base density allowed in the underlying zone.

(5) Height Limit and Roof Pitch.

- (a) The height limit permitted for structures in cottage housing developments shall be eighteen (18) feet.
- (b) The ridge of pitched roofs with a minimum slope of six to twelve (6:12) may extend up to twenty-eight (28) feet. The ridge of pitched roofs with a minimum slope of four to twelve (4:12) may extend up to twenty-three (23) feet. All parts of the roof above eighteen (18) feet shall be pitched.

(6) Lot Coverage and Floor Area.

- (a) The maximum lot coverage permitted for buildings in cottage housing developments shall not exceed forty percent (40%) and the maximum total lot coverage shall not exceed sixty percent (60%).
- (b) The maximum main floor area is 800 square feet.

- (c) The total floor area of each cottage shall not exceed either 1.5 times the area of the main level or twelve hundred (1,200) square feet, whichever is less. Enclosed space in a cottage located either above the main level and more than twelve (12) feet above finished grade, or below the main level, shall be limited to no more than fifty (50) percent of the enclosed space of the main level, or four hundred (400) square feet, whichever is less. This restriction applies regardless of whether a floor is proposed in the enclosed space, but shall not apply to attic or crawl spaces (less than 6' in height).
- (d) Attached garages shall be included in the calculation of total floor area.
- (e) Areas that do not count as total floor area are:
 - (i) Unheated storage space located under the main floor of the cottage.
 - (ii) Attached roofed porches.
 - (iii) Detached garages or carports.
 - (iv) Spaces with the ceiling height of six feet or less measured to the exterior walls, such as a second floor area under the slope of a roof.
- (f) The total square foot area of a cottage dwelling unit may not be increased. A note shall be placed on the title to the property for the purpose of notifying future property owners that any increase in the total square footage of a cottage is prohibited for the life of the cottage or duration of City cottage regulations.

(7) Yards.

- (a) Front Yards. The front yard for cottage housing developments shall be ten feet (10').
- (b) Rear Yards. The minimum rear yard for a cottage housing development shall be ten (10) feet. If abutting an alley the rear yard setback may be reduced to five feet (5').
- (c) Side Yards. The minimum required side yard for a cottage housing development shall be five (5) feet. When there is a principal entrance along a side facade, the side yard shall be no less than ten (10) feet along that side for the length of the pedestrian route. This ten (10) foot side yard shall apply only to a height of eight (8) feet above the access route.
- (d) Interior Separation for Cottage Housing Developments. There shall be a minimum separation of six (6) feet between principal structures. When there is a principal entrance on an interior facade of either or both of the facing facades, the minimum separation shall be ten (10) feet.

(8) Required Open Space.

- (a) Quantity of Open Space. A minimum of four hundred (400) square feet per unit of landscaped open space is required. This quantity shall be allotted as follows:
 - i. A minimum of two hundred (200) square feet per unit shall be private usable open space (Setbacks and common open space shall not be counted as private open space.); and
 - ii. A minimum of one hundred fifty (150) square feet per dwelling unit shall be provided as common open space. (Setbacks and private open space shall not be counted as common open space.)
- (b) Critical areas and buffers shall not be counted as open space.

- (c) Each house shall abut its private open space. A fence or hedge not to exceed 3' may separate private open space from common open space.

(9) Development Standards.

Cottages shall be oriented around and have their main entry from the common open space.

- (a) Private usable open space shall be provided in one (1) contiguous area with a minimum area of two hundred (200) square feet. No horizontal dimension of the open space shall be less than ten (10) feet and shall be oriented toward the common open space, as much as possible.
- (b) Required common open space shall be provided at ground level in one (1) contiguous parcel. Each cottage shall abut the common open space, and the common open space shall have cottages abutting at least two (2) sides.
- (c) The minimum horizontal dimension for common open space shall be ten (10) feet.
- (d) Each cottage unit shall have a covered porch or entry of at least 60 square feet with a minimum dimension of six (6) feet on any side.
- (e) Secondary entrances facing a street or sidewalk shall have a five-by-five foot porch.
- (f) Separation of identical building elevations. Units of identical elevation types must be separated by at least two different elevations. This will result in at least three different elevation plans per cluster. No two adjacent structures shall be built with the same building size or orientation (reverse elevations do not count as different building elevations), facade, materials, or colors.
- (g) Variety in building design. A variety of building elements and treatments of cottages and accessory structures must be incorporated. Structures must include articulation, change in materials or texture, windows, or other architectural feature as shown in the City's Design Standards. No blank walls are allowed.
- (h) 5' wide Pedestrian pathways (sidewalks) must be included to provide for movement of residents and guests from parking areas to homes and other amenities.

(10) Parking shall be:

- (a) Located on the cottage housing development property.
- (b) Located in clusters of not more than five (5) adjoining spaces.
- (c) Screened from public streets and adjacent residential uses by landscaping or architectural screening.
- (d) Parking is allowed between or adjacent to structures only when it is located toward the rear of the principal structure and is served by an alley or private driveway.
- (e) Off-street parking requirements are as follows: Units under 700 square feet: 1 space per unit; Units between 700-1,000 square feet: 1.5 spaces per unit; and Units over 1,000 square feet 2 spaces per unit. At least one (1) parking stall per dwelling will be enclosed or covered.
- (f) Access to parking shall be from the alley when property abuts a platted alley improved to the City's Engineering Design and Development Standards or when the Director determines that alley access is feasible and desirable to mitigate parking access impacts.
- (g) Not located in the front yard.

- (11) Covered Parking areas should be located so their visual presence is minimized, and associated noise or other impacts do not intrude into public spaces. These areas should also maintain the single family character along public streets.
- (a) For shared detached garages, the design of the structure must be similar and compatible to that of the dwelling units within the development.
 - (b) Shared detached garage structures shall be reserved for the parking of vehicles owned by the residents of the development. Storage of items which preclude the use of the parking spaces for vehicles is prohibited.
 - (c) The design of carports must include rooflines similar and compatible to that of the dwelling units within the development.

(12) Screening requirements.

- (a) Boundaries between cottage dwellings and neighboring properties shall be screened with landscaping to reduce the appearance of bulk or intrusion onto adjacent properties, or otherwise treated (ie through setbacks or architectural techniques) to meet the intent of this section.
- (b) Common waste and other storage receptacles shall not be placed in the front yard setback area.
- (c) Common waste and other storage receptacles shall be architecturally screened and/or screened with landscaping so as to mask their appearance to residents, adjacent property owners, and the public right-of-ways.

(13) Requests for Modifications to standards.

The Community Development Director may approve minor modifications to the general parameters and design standards set forth in this chapter provided the following criteria are met:

- (a) The site is constrained due to unusual shape, topography, easements or sensitive areas.
- (b) The modification is consistent with the objectives of this Chapter.
- (c) The modification will not result in a development that is less compatible with neighboring land uses.

Adding a new Section 19.06.120 ‘Cottage Housing Developments’ to read as follows:

A grouping of small, single-family dwelling units, clustered around a common area and developed with a coherent plan for the site in accordance with MMC Section 19.14.040 ‘Cottage Housing Developments’.

Section 19.08.030 Table 1 is hereby amended to read as follows:

19.08.030 Residential land uses.

(1) Table.

Specific Land Use												

	RU	R 4.5-8	R 12-28	NB	CB	GC	DC	MU	BP	LI	GI	P/I
Dwelling Units, Types:												
Single detached (22)	P18	P18	P18									
Cottage housing		C23	C23									
Duplex (22)	P	P11C	P									
Townhouse		P3	P				P17	P				
Multiple-family			P	C9	P9, C15	P9, C15	P9, P17	P				
Mobile home	P19	P19, C3	P19	P19	P19	P19	P19	P19	P19	P19	P19	
Mobile home park	C		C14, P			P						
Senior citizen assisted		C2	C2	P				C				P
Factory-built	P10	P10	P10									
Guesthouse	P6											
Caretaker's quarters (8)					P	P	P		P	P	P	P
Group Residences:												
Adult family home	P	P	P	P	P	P	P	P				P
Convalescent, nursing, retirement		C2	C2	C	P	P	P	P				P
Residential care facility	P	P	P	P	P	P	P	P				P
Accessory Uses:												
Residential accessory uses (1) (12) (16)	P	P	P									
Home occupation (5)	P	P	P20	P20	P20, P21	P20, P21	P20, P21	P20, P21	P21	P21	P21	
Temporary Lodging:												
Hotel/motel			P	P	P	P	P	P	P	P		
Bed and breakfast guesthouse (4)	C	C13	P									
Bed and breakfast inn (4)	C		P	P	P	P						

Section 19.08.030(2) is hereby amended to read as follows:

(2) Development Conditions.

1. Accessory dwelling units must comply with development standards in Chapter 19.34 MMC, Accessory Dwelling Units.

2. Limited to three residents per the equivalent of each minimum lot size or dwelling units per acre allowed in the zone in which it is located.

3. Only as part of a PRD development proposal, and subject to the same density as the underlying zone.
4. Bed and breakfast guesthouses and inns are subject to the requirements and standards contained in Chapter 19.36 MMC, Bed and Breakfasts.
5. Home occupations are subject to the requirements and standards contained in Chapter 19.32 MMC, Home Occupations.
6.
 - a. Guesthouses are not to be used as rental units or as a bed and breakfast;
 - b. Only one guesthouse may be permitted per lot; and
 - c. Each guesthouse shall be sited so that future division of the property will allow each structure to meet all bulk and dimensional requirements for the zone in which it is located.
7.
 - a. There shall be accommodations for no more than two persons.
 - b. The accommodations shall be located within the primary residence.
8. Limited to one dwelling unit for the purposes of providing on-site service and security of a commercial or industrial business.
9. All units must be located above a street-level commercial use.
10.
 - a. A factory-built house must be inspected at least two times at the factory by the State Building Inspector during the construction process, and must receive an approval certifying that it meets all requirements of the International Building Code. At the building site, the city building official will conduct foundation, plumbing and final inspections.
 - b. A factory-built house cannot be attached to a metal frame allowing it to be mobile. All such structures must be placed on a permanent foundation at the building site.
11. Permitted outright in the R-8 and R-6.5 zones on minimum 7,200-square-foot lots. A conditional use permit is required for the R-4.5 zone, and the minimum lot size must be 12,500 square feet. Duplexes must comply with the comprehensive plan density requirements for the underlying land use designation.
12.
 - a. A garage sale shall comply with the following standards:
 - i. No residential premises shall have more than two such sales per year and no such sale shall continue for more than six days within a 15-day period.
 - ii. Signs advertising such sales shall not be attached to any public structures, signs or traffic control devices, nor to any utility poles. All such signs shall be removed 24 hours after the sale is completed.

b. A garage sale complying with the above conditions shall be considered as being an allowable accessory use to all residential land uses. A garage sale violating one or more of the above conditions shall be considered as being a commercial use and will be disallowed unless it complies with all requirements affecting commercial uses.

13. Limited to the R-6.5 and R-8 zones only.

14. A conditional use permit is required in the low density multiple-family zone.

15. Twenty percent of the units, but no more than two total units, may be located on the street level of a commercial use, if conditional use permit approval is obtained and the units are designed exclusively for ADA accessibility. The street level units shall be designed so that the units are not located on the street front and primary access is towards the rear of the building.

16. a. Accessory buildings or uses may not be established until the principal building or buildings are constructed on the property.

b. A detached garage, carport or other permitted accessory building may be located in the rear yard, provided:

i. Not more than 50 percent of the required rear setback area is covered; and

ii. Accessory building(s) located within rear setback areas shall have a minimum interior side setback of five feet, or 10 feet on the flanking street of a corner lot, and a minimum rear setback of five feet; and

iii. Vehicle access points from garages, carports, fenced parking areas or other accessory building(s), the entrance of which faces the rear lot line, shall not be located within 10 feet from the rear lot line, except where the accessory building(s) entrance faces an alley with a right-of-way width of 10 feet, in which case the accessory building(s) shall not be located within 20 feet from the rear lot line; and

iv. Detached accessory buildings exceeding one story shall provide the minimum required yard setbacks for principal buildings in the zone; and

v. An accessory building, which is located in the rear setback area, may be attached to the principal building; provided, that no portion of the principal building is located within the required yard setbacks for principal buildings in the zone.

c. A detached garage, carport or other permitted accessory building may be located in the front or side yard only if the applicant demonstrates, to the satisfaction of the community development director, that the following conditions can be met:

i. Accessory buildings that are located in the front or side yard shall not compromise the integrity of the residential neighborhood in which they are proposed to be located, and shall be subject to, but not limited to, the following development standards:

- A. The architectural character of the principal building shall be preserved; and
- B. The accessory building shall have a roof pitch similar to the primary building and have siding and roofing materials similar to or compatible with those used on the primary building. No metal siding or roofing shall be permitted unless it matches the siding and roofing of the dwelling. Plans for the proposed accessory building(s) indicating siding and roofing materials shall be submitted with the application.

ii. Detached accessory buildings located in the front or side yard shall provide the minimum required yard setback for principal buildings in the zone.

17. Permitted on the ground floor in the southwest sector of downtown vision plan area, as incorporated into the city of Marysville comprehensive plan.

18. Manufactured homes must:

- a. Be no more than two years old, as evidenced by the date of manufacture recorded on the HUD data plate;
- b. Be set on a permanent foundation, as specified by the manufacturer, enclosed with an approved concrete product from the bottom of the home to the ground which may be either load-bearing or decorative;
- c. Meet all design standards applicable to all other single-family homes in the neighborhood in which the manufactured home is to be located.

19. Mobile homes are only allowed in existing mobile home parks established prior to October 16, 2006.

20. Home occupations are limited to home office uses in multifamily dwellings. No signage is permitted in townhouse or multifamily dwellings.

21. Permitted in a legal nonconforming or conforming residential structure.

22. No more than one single-family detached or duplex dwelling(s) is allowed per lot except in planned residential developments, Chapter 19.48 MMC, using the binding site plan process and designated, on the face of the BSP, for multiple single-family detached dwellings on a single parcel; or accessory dwelling units through the provisions of Chapter 19.34 MMC.

23. Subject to MMC cottage housing provisions, MMC 19.14.040.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or work of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2008.

CITY OF MARYSVILLE

By: _____
DENNIS L. KENDALL, MAYOR

Attest:

By: _____
TRACY JEFFRIES, CITY CLERK

Approved as to form:

By: _____
GRANT K. WEED, CITY ATTORNEY

Date of Publication: _____

Effective Date: _____
(5 days after publication)

‘Draft’ Cottage Housing Design Guidelines

General House Design

Standard: Structures must include building articulation, change in materials or textures, windows, or other architectural features.

Example:

Eight hundred fifty square foot—Single-Story Cottage

Design Elements: Pitched Roof, Front Porch, Interesting Window Design, Stone Fireplace



Variety in Building Design, Character and Height Standard: Structures shall be varied in height, size, proportionality, orientation and rooflines. The character is encouraged to reflect the smaller craftsman-style homes

built in the 1910s to 1930s. One-story cottages eighteen feet in height and partial one and one-half stories up to twenty-eight feet in height are allowed.

Examples: Twenty-two and twenty-five foot heights





Standard: Structures shall vary in design, size, orientation, layout, roof pitches and building materials.





Rooflines

Standard: Interesting rooflines must be provided which include use of varied pitched roof styles, gables, or dormers.

Example:

Nine hundred ninety square foot—One- and One-Half-Story Cottage with Partial Second Story

Design Elements: Pitched Roof, Dormer to the Side, Hip Roof over Nook, and Gable over Porch



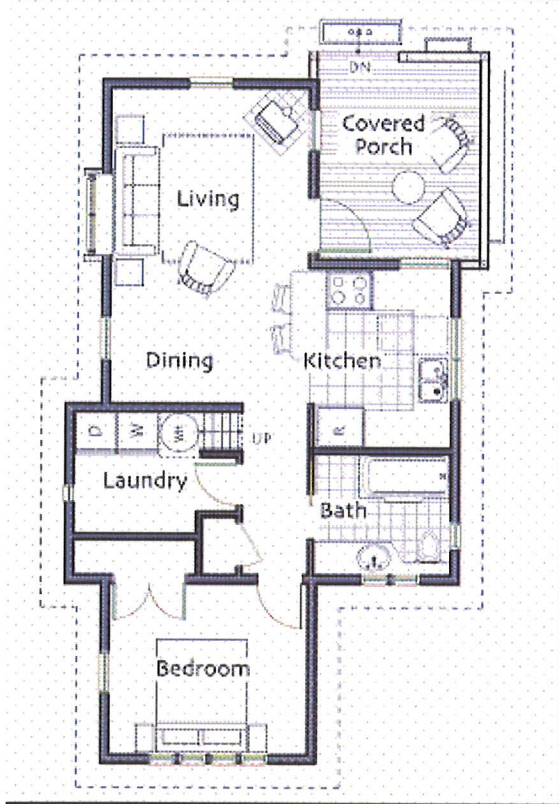
House and Roof Designs

Standard: Differing roof forms, gables or dormers, window design, entry treatments and base treatments shall be utilized to achieve variety.

Example:

Six hundred forty square foot—One-Story Cottage

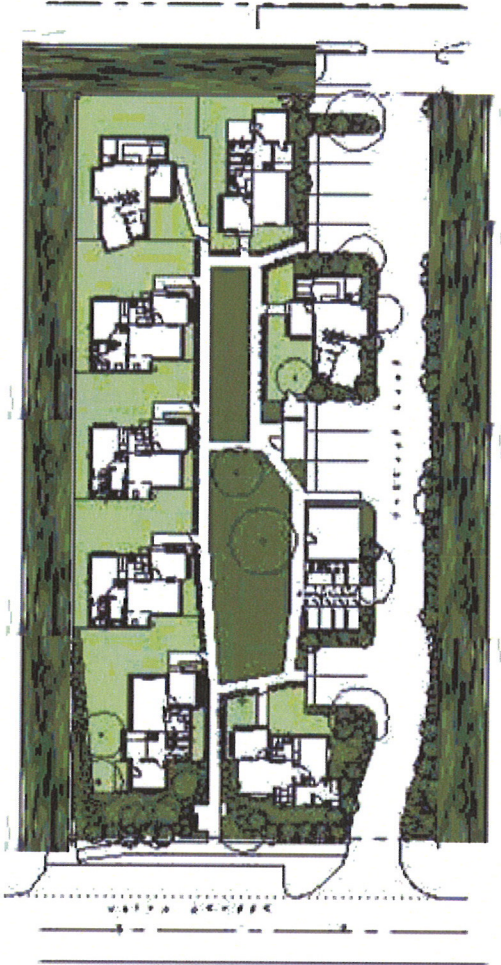
Design Elements: Varied Rooflines, Building Articulation, Accent Windows, Decorative Design on Porch



Site Planning

Standard: Cottages surrounding a common open space with parking to the side of the project.

Example:



- Central open space
- Parking to the side of the development

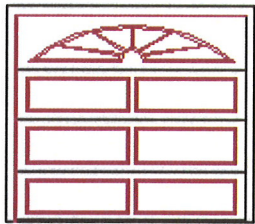
- Landscaping along front lot line
- Pedestrian connection to sidewalk
- Buffer along property lines
- Private driveway meeting fire standards

Garage Doors

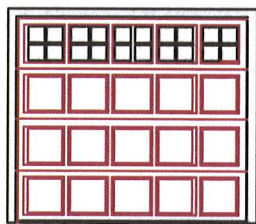
Standard: Garage doors shall feature windows, recesses, or moldings to help blend the doors with the character of the house.

Example: Design Elements—Various door styles with decorative features.

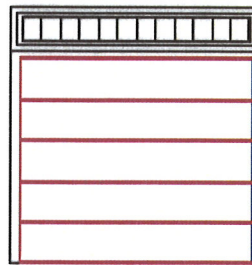




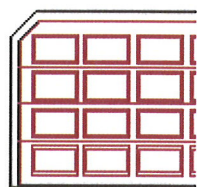
**FAN LIGHT &
PANELS**



**GLAZED W/ GRILLES
AND PANELS**



**TRANSOM OVER
FLUSH DOOR**



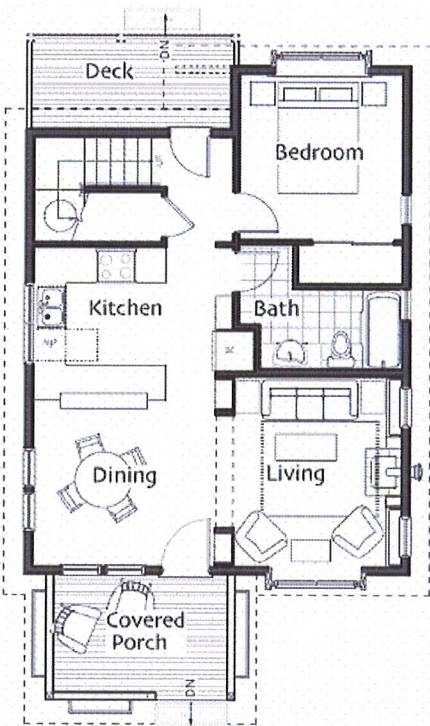
**PANELS WITH
"CLIPPED CORNERS"
FRAMING**

Traditional Overhead Door Styles

Porches

Standard: Porches shall be a minimum of 60 square feet with no dimension less than six feet.

Example:



Comprehensive Plan Map Amendment No. 2: Amend the Comprehensive Plan Map designation and concurrently rezone approximately 6.22 acres from Low Density Multi-family and General Commercial to Mixed Use in order to allow future construction of a "mixed use" commercial and multi-family development.

Applicant: Joel Hylback
Property Location: Abutting the northern boundary of Gissberg Twin Lakes Park
Parcel Numbers: 31052900300100 & 31052900400900
Existing Zoning: R-12 (multi-family low density) & GC (general commercial)
Proposed Zoning: Mixed use

Staff will be analyzing the impacts a change in land use, of the area currently designated GC (only), to MU will have on the community as a whole and whether or not the proposal complies with the MU Criteria and Standards outlined in the Comprehensive Plan. Additionally, CD will be recommending the area currently designated R-12 remains unchanged. Staff has had discussion with Mr. Hylback who has talked about dropping the proposed R-12 amendment. Mr. Holland noted that they are still looking at the north-south connections in this area. This will affect staff's recommendation for this map amendment. He noted that staff may be bringing these amendments back in June.

2. Cottage Housing

Senior Planner Steve Roberge reviewed the background on Cottage Housing discussion in the City. He discussed how other jurisdictions are dealing with this. Some ideas for discussion among the Planning Commission included: density, administrative design review, cluster size, floor area, height and roof pitch, setbacks, open space, dispersion, parking, lot coverage, ADUs and/or carriage units.

There was discussion about parking requirements and the implications for fire vehicles. Commissioner Leifer emphasized the need for more parking or for wide enough roadways to allow access for emergency vehicles. Mr. Roberge reminded the Planning Commission that the requirement for PRDs was three parking spots for each unit – two on-site and one conveniently located.

Commissioner Leifer asked if doing an LID in connection with one of these would impact the lot coverage. Mr. Roberge stated that in the LID code there are restrictions on lot coverage, but you could possibly end up with more. He indicated that he would check on this. He noted that Seattle has done a lot of research on cottage housing and he could get some of that information to the Planning Commission. He pointed out that the main issue seems to be how the parking is handled.

There was consensus among the commission that they would like to see examples of small clusters (4-6) as examples of infill. Chairman Muller commented that he was having difficulty seeing the feasibility of fitting this on a lot.

Mr. Roberge reviewed the Mukilteo code requirement.

There was considerable discussion about application of Cottage Housing in the City. Concerns included:

- Impacts on neighbors
- Densities allowed
- CCNRs
- How to encourage in specific areas and not others
- Making sure they are consistent with case histories regarding this – Shoreline case
- Using this in “walkable” areas

Steve Roberge commented that this could be limited to certain areas if desired by the Planning Commission. He noted that it would be a conditional use process. There was discussion about allowing this only in denser area and as a transition tool (as Mukilteo does).

Mr. Roberge stated that he would bring back:

1. Samples of how this has been used in smaller clusters
2. Information about how other jurisdictions handle the LID/lot coverage issues
3. Information about the Shoreline law suit

OTHER

Commissioner Leifer brought up an issue that he would like the Planning Commission to address regarding Land Use Action requirements related to connectivity. He acknowledged concerns about ensuring connectivity of roads, but expressed concern about equity.

NEXT MEETING

- **May 14**

He stated that this would ruin their property values if the road went through their properties.

HEARING

None.

NEW BUSINESS

1. Healthy Communities Presentation

Parks and Recreation Director Jim Ballew reviewed the work of the Healthy Communities Committee. He introduced Eric Hatzenbuehler, Health Educator, from the Snohomish Health District who shared the outcome of the process of Marysville's Healthy Communities Committee via a PowerPoint presentation:

- Priority #1 – Active Community Environments – more walkable and bikeable community
- Priority #2 – Access to Health-promoting Food – increase fruit and vegetable consumption; increase access to and promotion of healthy foods, restaurants and businesses
- Priority #3 – Increase the number of people who have access to low cost/free recreational opportunities – improve and maintain existing recreation sites and facilities in Marysville; increase the number of free and low cost physical activity opportunities in Marysville

Next Steps:

- April and May – Action Plan Tour
- March, June, September – Collaborative Leadership Training
- April and May – Develop Implementation Plan
- Summer – Distribute Action Plan
- Fall – Community Implementation Committee should be formed

He invited the Planning Commission to let him know their particular areas of interest. Commissioner Kvangnes asked about money for implementation. Mr. Ballew noted the need for more money and also community support, not only monetarily, but in terms of time. He will be submitting a budget request next year to assist with implementation of this. Additionally, they will be contacting the County.

2. Cottage Housing Workshop

Steve Roberge reviewed his responses to three requests at the last meeting from the Planning Commission for more information.

- Examples of existing infill developments - He provided an analysis of existing infill developments and a survey of residents adjacent to those sites.

- Court case with the City of Shoreline – He gave a brief overview, but noted that it is extremely complex.
- How this lines up with the LID code recently passed – It appears to line up pretty well but staff will continue to monitor it.

Discussion:

- Commissioner Leifer asked what would be an appropriate bonus ratio. Mr. Roberge responded that this would be a community choice. Different communities have handled it in different ways, but he recommended between 1.5 and 2.0.
- Commissioner Leifer asked if cottage housing would result in higher population densities. Mr. Roberge replied that it would depend in what zone it is used. If it is done in a multi-family zone then it may end up with a lower density than zoned. In a single family detached zone you would generally end up with a higher density.
- Commissioner Foster commented that the cost of construction of multi-family has increased dramatically. There was discussion about the need for more housing in Marysville.
- Commissioner Leifer referred to GMA requirements to provide for a certain level of population. He asked if there would ever be pressure on developers to build to a maximum density. Mr. Roberge replied that some jurisdictions do have a minimum density requirement, but the City of Marysville does not.
- Gloria Hirashima added that this has been discussed in the Planning Commission before and it will continue to be discussed. Underbuilding in multi-family zones has emerged as an issue in a lot of cities. She noted that the Smokey Point Master Plan does have a minimum density.
- Steve Roberge indicated that staff would bring back a draft for review.
- Chairman Muller brought up the concern about the potential for infill in areas where it would not be desirable.

3. 2007 City-initiated Comprehensive Plan Amendments

Staff Initiated Amendment Request #1 – Comprehensive plan amendment to repeal Ordinance 2487 which allows a master site plan over sixty acres to designate twenty percent of the gross site area for residential uses and infrastructure. Gloria Hirashima reviewed the request and staff's recommendation to repeal the Smokey Point Subarea Plan adopted by Ordinance 2487.

Staff Initiated Amendment Request #2 – Comprehensive plan text amendment to Pages 4-6 of the Comprehensive Plan regarding rezones to bordering zones. Gloria Hirashima reviewed the request and staff's recommendation to revise the text to narrow the use of this provision to limit size and scope of rezones along edges outside a comprehensive plan amendment process.

MARYSVILLE PLANNING COMMISSION

November 27, 2007

7:00 p.m.

City Hall

CALL TO ORDER

Chairman Steve Muller called the November 27, 2007 meeting of the Marysville Planning Commission to order at 7:05 p.m. The following staff and commissioners were noted as being in attendance.

Chairman: Steve Muller

Commissioners: Deidre Kvangnes, Jerry Andes, Becky Foster, Steve Leifer, Toni Mathews

Staff: Belinda Beardsley, Business Office Supervisor, Cheryl Dungan, Senior Planner, Amy Hess Recording Secretary

APPROVAL OF MINUTES:

October 23, 2007

Motion made by Commissioner Foster to approve the 10/23/2007 Planning Commission minutes with the following corrections. Under Public Hearing from Jerry Short first line; *here* should read "her". Under Public Hearing from Rebecca Nixon first line; *Beccie* should read "Becky", and second line; *possibly run for a position on the commission* should read "stay involved with the city". Under New Business, the last paragraph Commissioner Leifer discussed his disapproval of the way the discussion was represented. Under Adjournment, correct spelling of Commissioner Mathews name. Motion seconded by Commissioner Kvangnes. Motion passed unanimously (5-0).

PUBLIC HEARING:

None

NEW BUSINESS:

Cottage Housing

Ms. Dungan opened the discussion about the Cottage Housing Code Memorandum the Commissioners had received. The discussion included where Cottage housing should be allowed and if any limitations or restrictions should be applied to its development. Ms. Dungan asked the Commissioners for input on these issues.

Commissioner Foster said she would like to see this type of development all over the city.

Chairman Muller was concerned about the viability of infill regarding density and lot size, but liked the idea of infill. He also voiced concern about discrepancies in the Draft Code and existing City Codes. He suggested having different rules for different densities.

Commissioner Andes shared these concerns and had his own about what type of zoning Cottage Housing would be applied to.

Commissioner Foster was concerned about the effect and perception of Cottage housing on existing residents with larger lots.

Chairman Muller wanted to know how the project would be packaged to make it marketable.

Commissioner Leifer wanted to discern the goals of Cottage Housing, Ms. Dungan described that it would address a supply for a need and infill. He also wanted to know where Maysville was falling behind in terms of density and how Cottage Housing would address this. He shared in Chairman Muller's concerns about lot size, layout, and open space.

Ms. Dungan said she would put together a more precise draft for the next meeting based on the feedback she had gathered.

ADJOURNMENT:

Motion made by Commissioner Kvangnes to adjourn; seconded by Commissioner Foster. Motion carries 6-0. Meeting adjourned at 8:14 p.m.

NEXT MEETING:

December 11, 2007

Amy Hess, Recording Secretary

MARYSVILLE PLANNING COMMISSION

January 8, 2008

7:00 p.m.

City Hall

CALL TO ORDER

Chairman Steve Muller called the January 8, 2008 meeting of the Marysville Planning Commission to order at 7:05 p.m. The following Staff and Commissioners were noted as being in attendance. Chairman Muller excused the absence of Commissioner Kvanges whose son was injured in a car accident.

Chairman: Steve Muller

Commissioners: Jerry Andes, Becky Foster, Steve Leifer, Toni Mathews

Staff: Cheryl Dungan, Senior Planner, Amy Hess Recording Secretary

APPROVAL OF MINUTES:

November 27, 2007

Motion made by Commissioner Foster, seconded by Commissioner Andes to approve the November 27, 2007 Meeting Minutes as presented with no corrections. Motion passed unanimously 5-0.

PUBLIC HEARING:

None

NEW BUSINESS:

Cottage Housing

Senior Planner Dungan began with an explanation of the handouts provided at the meeting. She explained the layout and design process that went in to the example of cottage housing on an existing lot in downtown Marysville. Ms. Dungan suggested a change be made in the draft code regarding the 6400 sq ft lot minimum. She felt that it she be removed and replaced by a 4 unit minimum.

Chairman Muller questioned the 2.5 parking stall per unit requirement listed on the real-life example plan in downtown Marysville. He thought this seemed a little excessive being that the target market for this type of development would be single individuals and the 55+ community. Ms. Dungan referred him to the city comparison handout she had provided that listed requirements and design strategies

surrounding cities have used in Cottage Housing. Chairman Muller suggested reducing the parking requirement to two stalls per unit or less.

Commissioner Andes also had concerns regarding the parking requirements and questioned whether decreasing the requirement to two parking stalls per unit would make a difference. He also questioned the lot lines and Ms. Dungan replied that there are none. Commissioner Andes also discussed setbacks and easements, how these would affect design and layout, and if they could be incorporated into the open space requirements.

Parking seemed to be the biggest concern in terms of a limiting factor being that the target market is senior citizens and single individuals. The concern was that 2.5 stalls is too much and limits the feasibility and creativity of Cottage Housing in Marysville. Commissioner Leifer addressed the ability of inhabitants to access bus routes, bike/walking trails, and other forms of transportation which would decrease the need for vehicles, thus decreasing the need for more parking. He made a point that depending on where the development was, residents would need to have easy access to public transit and be close enough to town to walk or ride to conceivably reduce the parking requirements.

The question of whether or not manufactured homes would be allowed was also brought up and deemed acceptable as long as they meet square footage requirements, building height requirements, and all other requirements. The example provided by Ms. Dungan was a corner lot and there was concern about the layout, parking, and accessibility on a non-corner lot. Ms. Dungan explained that in this situation, alleys would have to be utilized whether they are existing ones or new ones created to address this problem. She also noted that in Downtown Planning Area 1, a target area for this type of project, there are many existing alleys, but the project lot may need to be larger.

Ms. Dungan summarized what she thought the Commission was suggesting: changing parking requirements, changing minimum square footage requirement, designating 55+ communities, and street parking as an alternative. Current traffic issues and increase in traffic in the future as the city grows, and how these issues will affect potential parking solutions, was discussed. Possible options suggested included impervious pavement, underground parking, using the City of Kirkland's parking requirement of the larger "the unit, the more parking stalls" was supported by Commissioners Mathews, Leifer, Andes, and Chairman Muller. Commissioner Leifer was concerned that street parking may not be an option as the city grows and expands and traffic increases.

How and where Cottage Housing would be used in our City was discussed. Commissioner Andes questioned where Cottage Housing Development would be allowed. Ms. Dungan referred him to the Draft Code she had handed out and

explained that it would be in transition areas, Downtown Planning Area 1, lots with more than 35% critical area, and as infill. She also suggested trying a small experimental area to see if the city likes it, builders like it, and if the Codes need any adjustment. If it is successful, it can be expanded in the future. Ms. Dungan set the matter for Public Hearing in February.

Motion made by _____ directing staff to the draft code to remove the minimum lot size requirement and change parking requirement to reflect City of Kirkland's parking requirements based on square footage. Motion seconded by _____. Motion carries 4-0.

ADJOURNMENT:

Motion made by Commissioner Mathews to adjourn the meeting; seconded by Commissioner Andes. Motion carries, 4-0. Meeting adjourned at 8:11 p.m.

NEXT MEETING:

February 12, 2008

Amy Hess, Recording Secretary



MARYSVILLE PLANNING COMMISSION

February 12, 2008

7:00 p.m.

City Hall

CALL TO ORDER:

Chairman Muller called the February 12, 2008 Meeting of the Marysville Planning Commission to order at 7:04 p.m. He excused the absence of Commissioner Becky Foster who was in Olympia. The following staff was noted as being present.

Chairman: Steve Muller

Commissioners: Deidre Kvanges, Jerry Andes, Steve Leifer, Toni Mathews

Staff: Cheryl Dungan, *Senior Planner*, Amy Hess, *Recording Secretary*

Absent: Becky Foster

APPROVAL OF MINUTES:

January 8, 2008

Motion made by Commissioner Kvanges to approve the January 8th Meeting Minutes with the following changes: on page two, second to last paragraph, impervious pavement should read *pervious*. Motion seconded by Commissioner Andes. Motion carries, (4-0).

PUBLIC HEARING:

Cottage Housing PA 06-032:

Cheryl Dungan, Senior Planner, recapped the changes suggested at the previous meeting and stated that those changes had been made to the code. There was a question regarding whether or not changes needed to be made to the engineering code, Ms. Dungan stated they did not. She then summarized the Staff Recommendation that was on the Memo handout regarding covered parking areas in Cottage Housing developments.

Chairman Muller questioned the clarity of the wording regarding parking in the staff recommendation memo. He suggested that the wording be changed to read *parking*

structures instead of *parking areas* in order to be more clear and specific. Ms. Dungan agreed.

Commissioner Kvanges wanted to know how many cottage housing projects were lined up at this time. Ms. Dungan replied that there were none at the time.

The general purpose of Cottage Housing development was discussed. The redevelopment of downtown and establishing a more pedestrian friendly corridor were among the points made. The parking requirements were lowered, as recommended by the Commission, diminishing it as a limiting factor and allowing for more flexibility in the design aspect.

Chairman Muller again solicited public comment as more people had arrived since the meeting started, there still was none.

Commissioner Leifer brought up a letter sent in by a citizen in the past regarding building heights relative to roof pitch and questioned whether or not these issues had been remedied.

Ms. Dungan explained that, as depicted in the handout, building height is relative to pitch, so the issue in question was not a problem.

There was discussion about Downtown Area 1, its borders, fringes, and critical areas. Density requirements in a multi family zone were questioned, and Ms. Dungan stated that there is no minimum in this type of zone. Discussion of access roads on sites where the maximum number of units was achieved was addressed by Ms. Dungan. She stated that the roads could not go through the lot as the dwelling units were required to be built around open space, but that alleys or fringes of lots would be used for access. She also mentioned that the low impact design code can be used in cottage housing developments.

Motion made by Commissioner Kvanges, seconded by Commissioner Mathews to send this matter to Council with Staff Recommendation. Motion carries, (4-0).

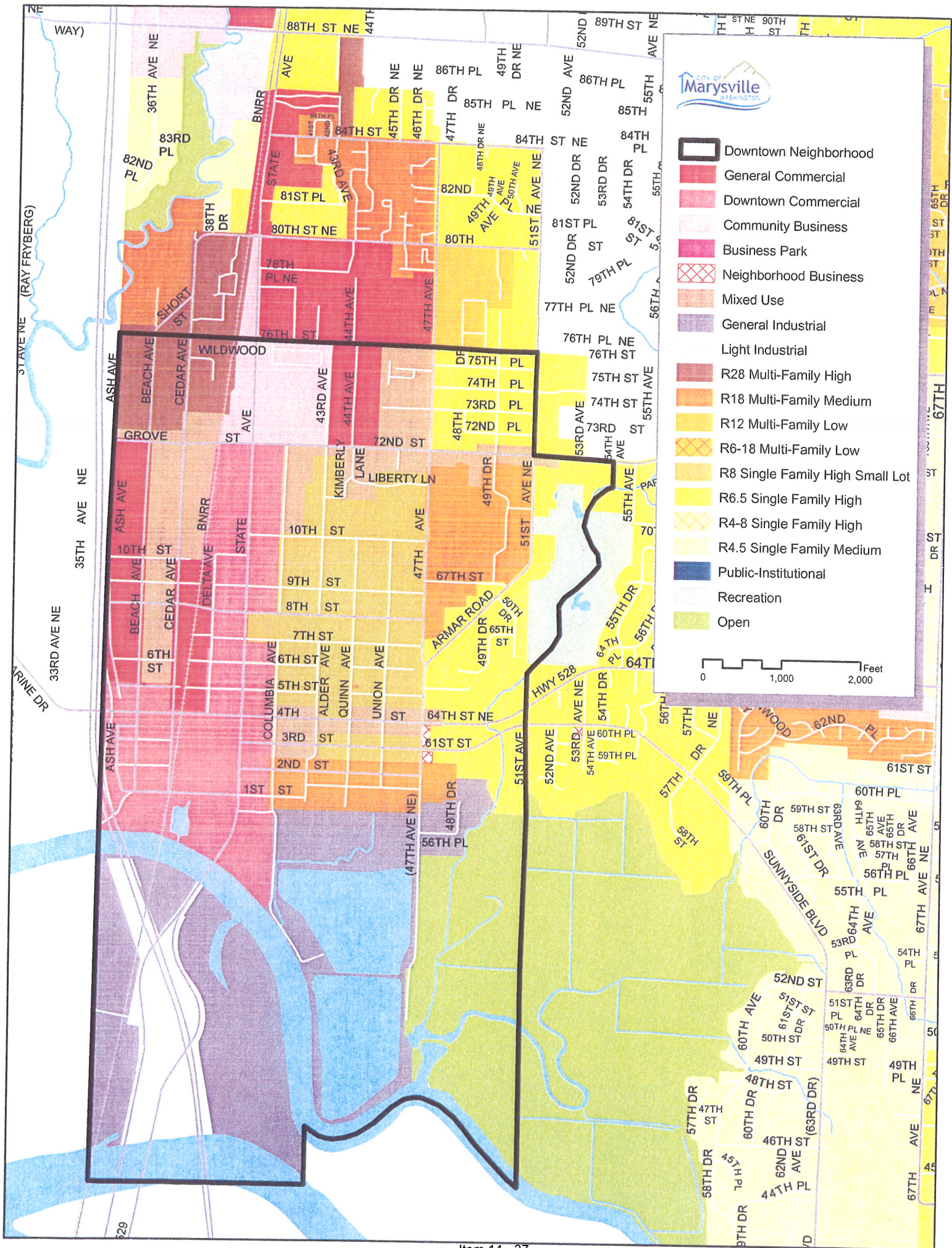
Commissioner Kvanges noted that she would like to see a model of a Cottage Housing development built in Marysville as had been done in Kirkland.

NEW BUSINESS:

None

ADJOURNMENT:

Motion made by Commissioner Mathews to adjourn the meeting; seconded by Commissioner Kvanges. Motion Carries, (4-0). Meeting adjourned at 7:38 p.m.



CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON RELATED TO COTTAGE HOUSING, ADDING A NEW SECTION 19.14.040 COTTAGE HOUSING DEVELOPMENTS; ADDING A NEW SECTION 19.06.120 COTTAGE HOUSING; AMENDING SECTION 19.08.030 TABLE 1; AND ADDING A FOOTNOTE 23 TO 19.08.030 (2).

WHEREAS, the City Council of the City of Marysville does find that from time to time it is necessary and appropriate to review and revise provisions of the City's Zoning Code (Title 19 MMC); and

WHEREAS, the City's Planning Commission and professional planning staff are recommending that the City's development regulations related to Cottage Housing need to be added in order to encourage developers to utilize more flexible land use development approaches, which can result in projects that accomplish the goals of the Comprehensive Plan and that further the public interest of the City and its citizens; and

WHEREAS, the amendments proposed for adoption in this ordinance are consistent the following required findings of MMC 19.56.030:

- (1) The amendments are consistent with the purposes of the comprehensive plan;
- (2) The amendments are consistent with the purpose of Title 19 MMC;
- (3) There have been significant changes in the circumstances to warrant a change;
- (4) The benefit or cost to the public health, safety and welfare is sufficient to warrant the action; and

WHEREAS, after providing notice to the public as required by law, on February 12, 2008 the Marysville Planning Commission held a public hearing on proposed changes to the City's zoning code and received public input and comment on said proposed revisions; and

WHEREAS, at a public meeting on June 23rd, 2008 the Marysville City Council reviewed and considered the amendments to the zoning code proposed by the Marysville Planning Commission;

WHEREAS, the City has submitted the proposed development regulation revisions to the Washington State Department of Community, Trade, and Economic Development as required by RCW 36.70A.106; and

WHEREAS, the City has complied with the requirements of the State Environmental Policy Act, Ch. 43.21C RCW, (SEPA) by adopting a determination of non-significance for the adoption of the proposed revisions to the City's development regulations;

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

Adding a new Section 19.14.040 'Cottage Housing Developments' to read as follows:

MMC 19.14.040 Cottage Housing Developments

(1) Purpose.

The purpose of this section is to:

- (a) Provide a housing type that responds to changing household sizes and ages (e.g., retirees, small families, single person households);
- (b) Provide opportunities for ownership of small, detached units within a single-family neighborhood;
- (c) Encourage creation of more usable space for residents of the development through flexibility in density and lot standards;
- (d) Support the growth management goal of more efficient use of urban residential land; and
- (e) Provide guidelines to ensure compatibility with surrounding uses.

(2) Applicability.

Cottage housing developments are allowed in the following areas: residentially zoned properties within in Downtown Planning Area 1; single-family zones where properties are encumbered by at least 35% critical areas and associated buffers; and single-family zoned parcels adjacent, including across the street in some cases, to multi-family, commercial and industrial zoned parcels, as a transition to multi-family, commercial and industrial uses.

(3) Accessory dwelling units shall not be permitted in cottage housing developments.

(4) Density and Minimum Lot Area.

- (a) Cottage housing developments shall contain a minimum of four (4) cottages arranged on at least two (2) sides of a common open space or configuration as otherwise approved by the director, with a maximum of twelve (12) cottages per development.
- (b) On a lot to be used for a cottage housing development, existing detached single-family residential structures, which may be nonconforming with respect to the standards of this section, shall be permitted to remain, but the extent of the nonconformity may not be increased. Such nonconforming dwelling units shall be included in the maximum permitted cottage density.
- (c) Cottage housing developments shall be allowed a density not to exceed 2.0 times the base density allowed in the underlying zone.

(5) Height Limit and Roof Pitch.

- (a) The height limit permitted for structures in cottage housing developments shall be eighteen (18) feet.
- (b) The ridge of pitched roofs with a minimum slope of six to twelve (6:12) may extend up to twenty-eight (28) feet. The ridge of pitched roofs with a minimum slope of four to twelve (4:12) may extend up to twenty-three (23) feet. All parts of the roof above eighteen (18) feet shall be pitched.

(6) Lot Coverage and Floor Area.

- (a) The maximum lot coverage permitted for buildings in cottage housing developments shall not exceed forty percent (40%) and the maximum total lot coverage shall not exceed sixty percent (60%).
- (b) The maximum main floor area is 800 square feet.

- (c) The total floor area of each cottage shall not exceed either 1.5 times the area of the main level or twelve hundred (1,200) square feet, whichever is less. Enclosed space in a cottage located either above the main level and more than twelve (12) feet above finished grade, or below the main level, shall be limited to no more than fifty (50) percent of the enclosed space of the main level, or four hundred (400) square feet, whichever is less. This restriction applies regardless of whether a floor is proposed in the enclosed space, but shall not apply to attic or crawl spaces (less than 6' in height).
- (d) Attached garages shall be included in the calculation of total floor area.
- (e) Areas that do not count as total floor area are:
 - (i) Unheated storage space located under the main floor of the cottage.
 - (ii) Attached roofed porches.
 - (iii) Detached garages or carports.
 - (iv) Spaces with the ceiling height of six feet or less measured to the exterior walls, such as a second floor area under the slope of a roof.
- (f) The total square foot area of a cottage dwelling unit may not be increased. A note shall be placed on the title to the property for the purpose of notifying future property owners that any increase in the total square footage of a cottage is prohibited for the life of the cottage or duration of City cottage regulations.

(7) Yards.

- (a) Front Yards. The front yard for cottage housing developments shall be ten feet (10').
- (b) Rear Yards. The minimum rear yard for a cottage housing development shall be ten (10) feet. If abutting an alley the rear yard setback may be reduced to five feet (5').
- (c) Side Yards. The minimum required side yard for a cottage housing development shall be five (5) feet. When there is a principal entrance along a side facade, the side yard shall be no less than ten (10) feet along that side for the length of the pedestrian route. This ten (10) foot side yard shall apply only to a height of eight (8) feet above the access route.
- (d) Interior Separation for Cottage Housing Developments. There shall be a minimum separation of six (6) feet between principal structures. When there is a principal entrance on an interior facade of either or both of the facing facades, the minimum separation shall be ten (10) feet.

(8) Required Open Space.

- (a) Quantity of Open Space. A minimum of four hundred (400) square feet per unit of landscaped open space is required. This quantity shall be allotted as follows:
 - i. A minimum of two hundred (200) square feet per unit shall be private usable open space (Setbacks and common open space shall not be counted as private open space.); and
 - ii. A minimum of one hundred fifty (150) square feet per dwelling unit shall be provided as common open space. (Setbacks and private open space shall not be counted as common open space.)
- (b) Critical areas and buffers shall not be counted as open space.

- (c) Each house shall abut its private open space. A fence or hedge not to exceed 3' may separate private open space from common open space.

(9) Development Standards.

Cottages shall be oriented around and have their main entry from the common open space.

- (a) Private usable open space shall be provided in one (1) contiguous area with a minimum area of two hundred (200) square feet. No horizontal dimension of the open space shall be less than ten (10) feet and shall be oriented toward the common open space, as much as possible.
- (b) Required common open space shall be provided at ground level in one (1) contiguous parcel. Each cottage shall abut the common open space, and the common open space shall have cottages abutting at least two (2) sides.
- (c) The minimum horizontal dimension for common open space shall be ten (10) feet.
- (d) Each cottage unit shall have a covered porch or entry of at least 60 square feet with a minimum dimension of six (6) feet on any side.
- (e) Secondary entrances facing a street or sidewalk shall have a five-by-five foot porch.
- (f) Separation of identical building elevations. Units of identical elevation types must be separated by at least two different elevations. This will result in at least three different elevation plans per cluster. No two adjacent structures shall be built with the same building size or orientation (reverse elevations do not count as different building elevations), facade, materials, or colors.
- (g) Variety in building design. A variety of building elements and treatments of cottages and accessory structures must be incorporated. Structures must include articulation, change in materials or texture, windows, or other architectural feature as shown in the City's Design Standards. No blank walls are allowed.
- (h) 5' wide Pedestrian pathways (sidewalks) must be included to provide for movement of residents and guests from parking areas to homes and other amenities.

(10) Parking shall be:

- (a) Located on the cottage housing development property.
- (b) Located in clusters of not more than five (5) adjoining spaces.
- (c) Screened from public streets and adjacent residential uses by landscaping or architectural screening.
- (d) Parking is allowed between or adjacent to structures only when it is located toward the rear of the principal structure and is served by an alley or private driveway.
- (e) Off-street parking requirements are as follows: Units under 700 square feet: 1 space per unit; Units between 700-1,000 square feet: 1.5 spaces per unit; and Units over 1,000 square feet 2 spaces per unit. At least one (1) parking stall per dwelling will be enclosed or covered.
- (f) Access to parking shall be from the alley when property abuts a platted alley improved to the City's Engineering Design and Development Standards or when the Director determines that alley access is feasible and desirable to mitigate parking access impacts.
- (g) Not located in the front yard.

- (11) Covered Parking areas should be located so their visual presence is minimized, and associated noise or other impacts do not intrude into public spaces. These areas should also maintain the single family character along public streets.
- (a) For shared detached garages, the design of the structure must be similar and compatible to that of the dwelling units within the development.
 - (b) Shared detached garage structures shall be reserved for the parking of vehicles owned by the residents of the development. Storage of items which preclude the use of the parking spaces for vehicles is prohibited.
 - (c) The design of carports must include rooflines similar and compatible to that of the dwelling units within the development.

(12) Screening requirements.

- (a) Boundaries between cottage dwellings and neighboring properties shall be screened with landscaping to reduce the appearance of bulk or intrusion onto adjacent properties, or otherwise treated (ie through setbacks or architectural techniques) to meet the intent of this section.
- (b) Common waste and other storage receptacles shall not be placed in the front yard setback area.
- (c) Common waste and other storage receptacles shall be architecturally screened and/or screened with landscaping so as to mask their appearance to residents, adjacent property owners, and the public right-of-ways.

(13) Requests for Modifications to standards.

The Community Development Director may approve minor modifications to the general parameters and design standards set forth in this chapter provided the following criteria are met:

- (a) The site is constrained due to unusual shape, topography, easements or sensitive areas.
- (b) The modification is consistent with the objectives of this Chapter.
- (c) The modification will not result in a development that is less compatible with neighboring land uses.

Adding a new Section 19.06.120 ‘Cottage Housing Developments’ to read as follows:

A grouping of small, single-family dwelling units, clustered around a common area and developed with a coherent plan for the site in accordance with MMC Section 19.14.040 ‘Cottage Housing Developments’.

Section 19.08.030 Table 1 is hereby amended to read as follows:

19.08.030 Residential land uses.

(1) Table.

Specific Land Use													

	RU	R 4.5-8	R 12-28	NB	CB	GC	DC	MU	BP	LI	GI	P/I
Dwelling Units, Types:												
Single detached (22)	P18	P18	P18									
Cottage housing		C23	C23									
Duplex (22)	P	P11C	P									
Townhouse		P3	P				P17	P				
Multiple-family			P	C9	P9, C15	P9, C15	P9, P17	P				
Mobile home	P19	P19, C3	P19	P19	P19	P19	P19	P19	P19	P19	P19	
Mobile home park	C		C14, P			P						
Senior citizen assisted		C2	C2	P				C				P
Factory-built	P10	P10	P10									
Guesthouse	P6											
Caretaker's quarters (8)					P	P	P		P	P	P	P
Group Residences:												
Adult family home	P	P	P	P	P	P	P	P				P
Convalescent, nursing, retirement		C2	C2	C	P	P	P	P				P
Residential care facility	P	P	P	P	P	P	P	P				P
Accessory Uses:												
Residential accessory uses (1) (12) (16)	P	P	P									
Home occupation (5)	P	P	P20	P20	P20, P21	P20, P21	P20, P21	P20, P21	P21	P21	P21	
Temporary Lodging:												
Hotel/motel			P	P	P	P	P	P	P	P		
Bed and breakfast guesthouse (4)	C	C13	P									
Bed and breakfast inn (4)	C		P	P	P	P						

Section 19.08.030(2) is hereby amended to read as follows:

(2) Development Conditions.

1. Accessory dwelling units must comply with development standards in Chapter [19.34](#) MMC, Accessory Dwelling Units.

2. Limited to three residents per the equivalent of each minimum lot size or dwelling units per acre allowed in the zone in which it is located.

3. Only as part of a PRD development proposal, and subject to the same density as the underlying zone.
4. Bed and breakfast guesthouses and inns are subject to the requirements and standards contained in Chapter [19.36](#) MMC, Bed and Breakfasts.
5. Home occupations are subject to the requirements and standards contained in Chapter [19.32](#) MMC, Home Occupations.
6. a. Guesthouses are not to be used as rental units or as a bed and breakfast;
b. Only one guesthouse may be permitted per lot; and
c. Each guesthouse shall be sited so that future division of the property will allow each structure to meet all bulk and dimensional requirements for the zone in which it is located.
7. a. There shall be accommodations for no more than two persons.
b. The accommodations shall be located within the primary residence.
8. Limited to one dwelling unit for the purposes of providing on-site service and security of a commercial or industrial business.
9. All units must be located above a street-level commercial use.
10. a. A factory-built house must be inspected at least two times at the factory by the State Building Inspector during the construction process, and must receive an approval certifying that it meets all requirements of the International Building Code. At the building site, the city building official will conduct foundation, plumbing and final inspections.
b. A factory-built house cannot be attached to a metal frame allowing it to be mobile. All such structures must be placed on a permanent foundation at the building site.
11. Permitted outright in the R-8 and R-6.5 zones on minimum 7,200-square-foot lots. A conditional use permit is required for the R-4.5 zone, and the minimum lot size must be 12,500 square feet. Duplexes must comply with the comprehensive plan density requirements for the underlying land use designation.
12. a. A garage sale shall comply with the following standards:
 - i. No residential premises shall have more than two such sales per year and no such sale shall continue for more than six days within a 15-day period.
 - ii. Signs advertising such sales shall not be attached to any public structures, signs or traffic control devices, nor to any utility poles. All such signs shall be removed 24 hours after the sale is completed.

b. A garage sale complying with the above conditions shall be considered as being an allowable accessory use to all residential land uses. A garage sale violating one or more of the above conditions shall be considered as being a commercial use and will be disallowed unless it complies with all requirements affecting commercial uses.

13. Limited to the R-6.5 and R-8 zones only.

14. A conditional use permit is required in the low density multiple-family zone.

15. Twenty percent of the units, but no more than two total units, may be located on the street level of a commercial use, if conditional use permit approval is obtained and the units are designed exclusively for ADA accessibility. The street level units shall be designed so that the units are not located on the street front and primary access is towards the rear of the building.

16. a. Accessory buildings or uses may not be established until the principal building or buildings are constructed on the property.

b. A detached garage, carport or other permitted accessory building may be located in the rear yard, provided:

i. Not more than 50 percent of the required rear setback area is covered; and

ii. Accessory building(s) located within rear setback areas shall have a minimum interior side setback of five feet, or 10 feet on the flanking street of a corner lot, and a minimum rear setback of five feet; and

iii. Vehicle access points from garages, carports, fenced parking areas or other accessory building(s), the entrance of which faces the rear lot line, shall not be located within 10 feet from the rear lot line, except where the accessory building(s) entrance faces an alley with a right-of-way width of 10 feet, in which case the accessory building(s) shall not be located within 20 feet from the rear lot line; and

iv. Detached accessory buildings exceeding one story shall provide the minimum required yard setbacks for principal buildings in the zone; and

v. An accessory building, which is located in the rear setback area, may be attached to the principal building; provided, that no portion of the principal building is located within the required yard setbacks for principal buildings in the zone.

c. A detached garage, carport or other permitted accessory building may be located in the front or side yard only if the applicant demonstrates, to the satisfaction of the community development director, that the following conditions can be met:

i. Accessory buildings that are located in the front or side yard shall not compromise the integrity of the residential neighborhood in which they are proposed to be located, and shall be subject to, but not limited to, the following development standards:

- A. The architectural character of the principal building shall be preserved; and
 - B. The accessory building shall have a roof pitch similar to the primary building and have siding and roofing materials similar to or compatible with those used on the primary building. No metal siding or roofing shall be permitted unless it matches the siding and roofing of the dwelling. Plans for the proposed accessory building(s) indicating siding and roofing materials shall be submitted with the application.
- ii. Detached accessory buildings located in the front or side yard shall provide the minimum required yard setback for principal buildings in the zone.
17. Permitted on the ground floor in the southwest sector of downtown vision plan area, as incorporated into the city of Marysville comprehensive plan.
18. Manufactured homes must:
- a. Be no more than two years old, as evidenced by the date of manufacture recorded on the HUD data plate;
 - b. Be set on a permanent foundation, as specified by the manufacturer, enclosed with an approved concrete product from the bottom of the home to the ground which may be either load-bearing or decorative;
 - c. Meet all design standards applicable to all other single-family homes in the neighborhood in which the manufactured home is to be located.
19. Mobile homes are only allowed in existing mobile home parks established prior to October 16, 2006.
20. Home occupations are limited to home office uses in multifamily dwellings. No signage is permitted in townhouse or multifamily dwellings.
21. Permitted in a legal nonconforming or conforming residential structure.
22. No more than one single-family detached or duplex dwelling(s) is allowed per lot except in planned residential developments, Chapter [19.48](#) MMC, using the binding site plan process and designated, on the face of the BSP, for multiple single-family detached dwellings on a single parcel; or accessory dwelling units through the provisions of Chapter [19.34](#) MMC.
23. Subject to MMC cottage housing provisions, MMC 19.14.040.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or work of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2008.

CITY OF MARYSVILLE

By: _____
DENNIS L. KENDALL, MAYOR

Attest:

By: _____
TRACY JEFFRIES, CITY CLERK

Approved as to form:

By: _____
GRANT K. WEED, CITY ATTORNEY

Date of Publication: _____

Effective Date: _____
(5 days after publication)