

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 10, 2013

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| AGENDA ITEM: Ordinance Amending Chapter 16.20 –Appeals Commission for Dangerous Buildings | AGENDA SECTION: Legal | |
| PREPARED BY: Gloria Hirashima, Chief Administrative Officer | DIRECTOR APPROVAL: | |
| ATTACHMENTS: 1. Draft Ordinance. | | |
| | MAYOR | CAO |
| BUDGET CODE: | AMOUNT: \$ | |

DESCRIPTION:

Staff is reviewing the abatement process to address nuisance conditions involving dangerous buildings. The current dangerous building code was adopted in 1967 and references a 3 member appeals commission. In more recent years the City has established a Board of Appeals to hear appeals concerning building and fire code issues. Rather than create another panel for appeals of this nature, it would seem appropriate to designate the Board of Appeals to hear appeals concerning dangerous buildings.

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| RECOMMENDED ACTION: Recommend approval of the ordinance amending Chapter 16.04 to establish the Board of Appeals as the appeal body for dangerous building issues. |
| COUNCIL ACTION: |

ORDINANCE NO. _____
MARYSVILLE, WASHINGTON

**AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON
AMENDING MARYSVILLE MUNICIPAL CODE SECTION 16.20.050 TO
DESIGNATE THE BOARD OF APPEALS ESTABLISHED UNDER
CHAPTER 16.04 MMC AND THE INTERNATIONAL BUILDING CODE
AS THE APPEALS COMMISSION FOR DANGEROUS BUILDINGS
UNDER CHAPTER 16.20 MMC DANGEROUS BUILDINGS**

WHEREAS, the City has established a Board of Appeals under Chapter 16.04 MMC and the International Building Code; and

WHEREAS, the City has appointed members to the Board of Appeals; and

WHEREAS, Chapter 16.20 MMC establishes an Appeals Commission to hear dangerous building appeals; and

WHEREAS, the City has no appointed members to the Appeals Commission; and

WHEREAS, RCW 35.80.030 authorizes a city to either establish or designate a municipal agency to serve as the appeals commission; and

WHEREAS, the City wishes to amend Section 16.20.050 to disestablish the Appeals Commission and to designate the Board of Appeals as the Appeals Commission,

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

Section 1. Marysville Municipal Code Section 16.20.050 is hereby amended to read as follows:

16.20.050 Board of Appeals designated Appeals Commission

The Board of Appeals established in Chapter 16.04 Marysville Municipal Code and the International Building Code is hereby designated as the Appeals Commission under this Chapter 16.20 Marysville Municipal Code. When acting as the Appeals Commission the Board of Appeals shall act in accordance with the requirements of Chapter 16.20 Marysville Municipal Code. All references in Chapter 16.20 Marysville Municipal Code to the Appeals Commission shall refer to the Board of Appeals as designated in this section.

Section 2 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.

ADOPTED by the City Council and APPROVED by the Mayor this _____ day of _____, 2013.

CITY OF MARYSVILLE

By: _____
Jon Nehring, Mayor

ATTEST:

By: _____
April O'Brien, Deputy City Clerk

APPROVED AS TO FORM:

By: _____
Grant K. Weed, City Attorney