


**CITY OF MARYSVILLE AGENDA BILL**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: November 13, 2018**

<b>AGENDA ITEM:</b>	
Amending Chapter 14.18 Regional Storm Water Drainage of the MMC	
<b>PREPARED BY:</b>	<b>DIRECTOR APPROVAL:</b> 
Kari Chennault, Asst. Public Works Director	
<b>DEPARTMENT:</b>	
Public Works	
<b>ATTACHMENTS:</b>	
Ordinance No. _____	
<b>BUDGET CODE:</b>	<b>AMOUNT:</b>
N/A	N/A
<b>SUMMARY:</b>	

Staff is requesting an amendment to Chapter 14.18 Regional Storm Water Drainage of the Marysville Municipal Code, specifically Section 110, Marysville area regional storm water ponds and conveyance systems. Staff is requesting an extension to the timeframe for purchasing capacity into a regional storm water facility to better align with typical development timeframes. The new language would extend the timeframe from application until building permit issuance from 240 days to 3 years (1095 days).

**RECOMMENDED ACTION:**

Staff recommends that Council authorize the Mayor to sign the ordinance amending Chapter 14.18 of the Marysville Municipal Code.

CITY OF MARYSVILLE  
Marysville, Washington

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARYSVILLE,  
WASHINGTON, AMENDING SECTION 14.18.110 OF THE MUNICIPAL CODE  
REGARDING TIMELINES FOR PAYMENT OF FEES FOR CONNECTION TO  
REGIONAL STORM WATER PONDS AND CONVEYANCE SYSTEMS.**

WHEREAS, detention and conveyance of surface and storm water is essential to public health and safety; and

WHEREAS, the City has constructed regional storm water facilities to facilitate economic development; and

WHEREAS, section 14.18.110 of the municipal code sets forth the process for connecting to and using regional storm water facilities; and

WHEREAS, the timelines in the municipal code for reserving capacity in regional storm water facilities should realistically reflect property owners' ability to plan for development on their property; and

WHEREAS, altering the timelines for reserving capacity in regional storm water facilities as set forth in this amendment to the municipal code promotes the public welfare by encouraging economic development.

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

SECTION 1. Section 14.18.110 of the municipal code is amended as set forth in Exhibit A.

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.

SECTION 3. Upon approval by the city attorney, the city clerk or the code reviser are authorized to make necessary corrections to this ordinance, including scrivener's error or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

SECTION 4. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

CITY OF MARYSVILLE

By \_\_\_\_\_  
JON NEHRING, MAYOR

Attest:

By \_\_\_\_\_  
\_\_\_\_\_, DEPUTY CITY CLERK

Approved as to form:

By \_\_\_\_\_  
JON WALKER, CITY ATTORNEY

Date of publication: \_\_\_\_\_  
Effective Date (5 days after publication): \_\_\_\_\_

## EXHIBIT A

### **14.18.110 Marysville area regional storm water ponds and conveyance systems.**

In addition to any other requirements of the Marysville Municipal Code, and in particular Chapter 14.16 MMC and this chapter, the following policies, procedures and priorities are ~~hereby~~ established for connection to and use of all Marysville area regional storm water ponds and conveyance systems which are ~~now or hereafter~~ constructed by the city of Marysville:

(1) Regional storm water ponds and conveyance systems shall only be used to receive waters from commercial or industrial development on properties bearing the zoning designations of community business, general commercial, mixed use, light industrial, or business park.

(2) Connection to and discharge into any regional storm water pond and conveyance system shall not be made until the applicant has been issued a building permit for commercial or industrial development on a property bearing one or more of the zoning designations referenced in subsection (1) of this section.

(3) All regional storm water ponds and conveyance systems have ~~a~~ limited capacity. Acceptance of an application and discharge into the system shall be contingent upon available capacity. Applications ~~shall~~ will be given priority by the city based ~~upon~~ the date the initial deposit has been received as referenced in subsection (5) of this section ~~by the city~~.

(4) A fee for connection to all regional storm water ~~drainage ponds and conveyance~~ facilities ~~shall~~ will be established by the city engineer. ~~Said This~~ fee ~~shall~~ will be determined by calculating the total cost of the detention facility and dividing ~~said the total~~ cost by the cubic feet of as-built capacity. Total cost shall include land acquisition, design, construction, construction management, city staff overhead, and environmental/ecological mitigation.

(5) ~~The owner of a property. All properties qualifying to connect to a regional storm water drainage. applying to connect to a storm water pond and conveyance~~ facility shall pay a nonrefundable ~~10 percent~~ deposit ~~for of ten percent of~~ the connection fee at the time of application. city receipt of an application for connection to the regional storm water facility following the effective date of the ordinance codified in this section. Said The application ~~shall~~ must describe the property to be served by the regional storm water facility, the proposed development, and the storage volume requested. ~~An additional 10 percent refundable deposit shall be paid at the time of city receipt of any building permit application on the described property, which must be within 120 days of the city receipt of the approved regional pond application or right to capacity within the storm water drainage facility shall be forfeited.~~ The balance of the fee shall be paid at the time of issuance of the first

building permit for the property to be served. ~~The right to capacity will be forfeited if the first building permit is not issued within three years of the city's receipt of the ten percent connection fee deposit. If a building permit has not been issued within 120 days of the city receipt of a building permit application the right to capacity within the storm water drainage facility shall be forfeited.~~ The city may grant a time extension of up to ~~120~~365 days for a building permit if substantial progress has been made by the applicant to complete design and construction plans to receive permit approval.