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09/28/92

ORIGINAL

ORDINANCE NO. 1702

AN ORDINANCE OF THE CITY OF REDMOND,  
WASHINGTON, AMENDING CHAPTER 13.12 OF THE  
MUNICIPAL CODE IN ORDER TO ADD AND CLARIFY  
PROCEDURES FOR PROCESSING OF UTILITY  
REIMBURSEMENT AGREEMENTS.

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WHEREAS, pursuant to RCW Chapter 35.91, the City of Redmond is authorized to contract with property owners for the construction of storm, sanitary, or combination sewers, pumping stations, and disposal plants, water mains, hydrants, reservoirs or appurtenances, hereinafter "water or sewer facilities" and to provide for partial reimbursement to the property owners of a portion of the costs of said water or sewer facilities and

WHEREAS, the Utility Division of the Public Works Department has requested that the rules and procedures for such reimbursement agreements specified in Chapter 13.12 of the Redmond Municipal Code be amended in order to clarify and add to the existing requirements and procedures, now, therefore

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO  
ORDAIN AS FOLLOWS:

Section 1. Purpose. Section 13.12.010 of the Redmond Municipal Code is hereby amended to read as follows:

13.12.010 Purpose. The purpose of the Chapter is to prescribe rules and regulations for exercise of the authority to enter into a Utility Reimbursement Agreement granted to the City by RCW Chapter 35.91. The rules and regulations included in this Chapter are based

on Redmond's interpretation that Chapter 35.91 contemplates that reimbursement agreements will be executed prior to commencement of construction.

Section 2. Requirements. Section 13.12.060(A) of the Redmond Municipal Code is hereby amended to read as follows:

A. The director shall review all applications and shall approve the application only if the following requirements are met:

1. The project satisfies the minimum size requirement, Section 13.12.030; and
2. The proposed improvements fall within the description of water or sewer facilities as those terms are described in RCW Chapter 35.91; and
3. The proposed improvements are not constructed or currently under construction.

Section 3. Segregation of Reimbursement Fees. A new Section 13.12.125 is hereby added to the Redmond Municipal Code to read as follows:

13.12.125 Segregation of Reimbursement Fees. The reimbursement agreement shall provide that the City is authorized to make segregation or adjustments to reimbursement fees because of subdivision or boundary line adjustment of the benefitted properties. The segregation or adjustment shall generally be made in accordance with the method used to establish the original reimbursement fees. Segregation or adjustment shall not increase or decrease the total reimbursement fees to be paid.

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such

invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 5. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of the attached summary which is hereby approved.

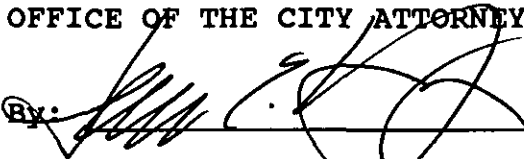
CITY OF REDMOND

  
MAYOR ROSEMARIE IVES

ATTEST/AUTHENTICATED:

  
CITY CLERK, DORIS SCHAIBLE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

By: 

FILED WITH THE CITY CLERK:	November 5, 1992
PASSED BY THE CITY COUNCIL:	November 17, 1992
SIGNED BY THE MAYOR:	November 17, 1992
PUBLISHED:	November 22, 1992
EFFECTIVE DATE:	November 27, 1992
ORDINANCE NO. <u>1702</u>	