

ORIGINAL

ORDINANCE NO. 1911

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, RELATING TO ZONING AND BUILDING CODES, AMENDING THE PROVISIONS OF TITLE 20F OF THE REDMOND MUNICIPAL CODE AND COMMUNITY DEVELOPMENT GUIDE TO ADD A NEW SECTION 20F.20.270 REASONABLE ACCOMMODATION PROCESS AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, the federal Fair Housing Act, the Fair Housing Act Amendments, and implementing regulations require that a city make reasonable accommodation in its rules, policies, practices, and/or services in order to ensure the full enjoyment of federally protected housing rights of the disabled; and

WHEREAS, the City has entered into a conciliation agreement under which the City is obligated to adopt amendments to its Building Code providing for reasonable accommodations; and

WHEREAS, such adjustments of the City's practices and procedures are by their very nature accommodations personal to the disabled individual occupying the premises and must therefore be carefully tailored to meet the needs of the disabled person without the application of stereotypical assumptions regarding the disabled; and

WHEREAS, the City desires to enact a speedy, fair, and expeditious process to provide such reasonable accommodations; and

WHEREAS, the City adopted an emergency interim control pursuant to RCW 36.70A.390 to implement the conciliation agreement; NOW, THEREFORE,

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

Section 1. A new section 20F.20.270 is hereby added to Title 20F of the Redmond Municipal Code and Community Development Guide, to read as follows:

20F.20.270 REASONABLE ACCOMMODATION FOR PERSONS WITH DISABILITIES

20F.20.270(05) REASONABLE ACCOMMODATION PROCESS

The federal Fair Housing Act and Fair Housing Act Amendments require that reasonable accommodations be made in the rules, policies, practices, or services, when such accommodations may be necessary to afford disabled persons equal opportunity to use and enjoy a dwelling. The rights created by the statutes are requirements of federal law and shall be interpreted and applied in accordance with federal case law.

20F.20.720(10) ZONING RULES POLICIES, PRACTICES AND SERVICES ACCOMMODATION:

The Planning Director or his or her designee is therefore authorized to make reasonable accommodations in the provisions of the Redmond Community Development Guide as such provisions apply to dwellings occupied or to be occupied by disabled persons as defined by the federal Fair Housing Act and Fair Housing Act Amendments, when the Planning Director or his or her designee determines that such reasonable accommodations may be necessary in order to comply with such Acts. All such accommodations shall be personal to the applicant and shall expire immediately if the disabled applicant terminates occupancy at the subject site.

20F.20.270(15) MODIFICATION OF STATE BUILDING CODE

A request for a reasonable accommodation in the form of a modification of the state building code including, but not limited to, the group LI requirements may be made to the Planning Director or his or her designee. Such accommodation shall be reasonable, personal to the applicant and granted pursuant to the definitions and requirements of the Fair Housing Act and Fair Housing Act Amendments as the same exists or is hereafter amended.

20F.20.270(20) DECISION

The written decision of the Planning Director or his or her designee shall be provided to the applicant and copies of the

decision posted at the post office, city hall, library, and on or near the subject site, and mailed to all property owners within 300 feet of the subject site.

20F.20.270(25) RECORDING OF DECISION

Notice of the decision of the Planning Director or his or her designee shall be recorded with the King County Department of Records and Elections to apprise prospective purchasers of the reasonable accommodation granted hereunder. All such notices shall conspicuously state that all accommodations granted under this section are personal to the applicant and that they expire when the applicant terminates his or her occupancy at the subject site.

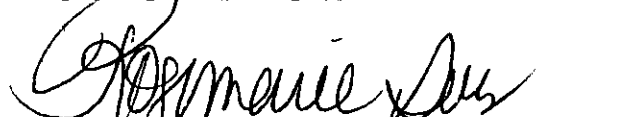
20F.20.270(30) APPEALS

The decision of the Planning Director or his or her designee shall be appealable only to King County Superior Court in accordance with the provisions of Section 20F.20.200(40) of the Redmond Community Development Guide. The appeal period for such appeals shall commence on the date the notice is deposited in the U.S. mail, postage paid, properly addressed to the applicant and owners of property as required in Section 20F.20.270(10) above.

Section 2. 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 3. 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 days after passage and publication of an approved summary thereof consisting of the title.

CITY OF REDMOND



MAYOR ROSEMARIE IVES

ATTEST/AUTHENTICATED:

Bonnie Mattson
CITY CLERK, BONNIE MATTSON

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By [Signature]

FILED WITH THE CITY CLERK: October 11, 1996
PASSED BY THE CITY COUNCIL: October 15, 1996
SIGNED BY THE MAYOR: October 15, 1996
PUBLISHED: October 19, 1996
EFFECTIVE DATE: October 24, 1996
ORDINANCE NO. 1911