

## AGENDA BILL APPROVAL FORM

<b>Agenda Subject:</b> Ordinance No. 6151		<b>Date:</b> December 27, 2007
<b>Department:</b> Legal	<b>Attachments:</b> Ordinance No. 6151	<b>Budget Impact:</b>

**Administrative Recommendation:**

City Council introduce and adopt Ordinance 6151.

**Background Summary:**

Pursuant to the agreement between the City and the County dated February 20, 2007, addressing the permit processing coordination between the City and County for projects that were vested under the County but would be located within the City of Auburn because of the annexations between Lea Hill and West Hill, it is appropriate that the City and the County coordinate on the use of the codes that apply to those projects. Under Washington's vesting law, projects that are fully and completely received by the appropriate jurisdiction vest as to the laws and regulations in effect at the time the projects have been fully applied for. Because of this, projects that have been applied for under King County regulations for projects within the annexation areas would continue to be controlled by those county regulations even after the property on which the projects are located becomes a part of the City of Auburn. Therefore, in order to implement the coordination necessary for processing those pending and vested permit applications, it is appropriate, for the City to take steps to ensure that the City and the County can adequately handle the processing of those permit applications under appropriate county codes even where the functionaries may be City staff. By reference, County Codes to apply to those instances, the City would assure its ability to continue to act in the processing of such permits. This is, again, consistent with the agreement between the City and the County dated February 20, 2007. It does not apply, however, to any projects that are not vested under county codes at the time of the annexations.

A0107-1  
O6.0, O3.1

<p><b>Reviewed by Council &amp; Committees:</b></p> <table style="width: 100%;"> <tr> <td><input type="checkbox"/> Arts Commission</td> <td><input type="checkbox"/> Finance</td> </tr> <tr> <td><input type="checkbox"/> Airport</td> <td><input type="checkbox"/> Municipal Serv.</td> </tr> <tr> <td><input type="checkbox"/> Hearing Examiner</td> <td><input type="checkbox"/> Planning &amp; CD</td> </tr> <tr> <td><input type="checkbox"/> Human Services</td> <td><input type="checkbox"/> Public Works</td> </tr> <tr> <td><input type="checkbox"/> Park Board</td> <td><input type="checkbox"/> Other _____</td> </tr> <tr> <td><input type="checkbox"/> Planning Comm.</td> <td></td> </tr> </table>	<input type="checkbox"/> Arts Commission	<input type="checkbox"/> Finance	<input type="checkbox"/> Airport	<input type="checkbox"/> Municipal Serv.	<input type="checkbox"/> Hearing Examiner	<input type="checkbox"/> Planning & CD	<input type="checkbox"/> Human Services	<input type="checkbox"/> Public Works	<input type="checkbox"/> Park Board	<input type="checkbox"/> Other _____	<input type="checkbox"/> Planning Comm.		<p><b>Reviewed by Departments &amp; Divisions:</b></p> <table style="width: 100%;"> <tr> <td><input type="checkbox"/> Building</td> <td><input type="checkbox"/> M&amp;O</td> </tr> <tr> <td><input type="checkbox"/> Cemetery</td> <td><input type="checkbox"/> Mayor</td> </tr> <tr> <td><input type="checkbox"/> Finance</td> <td><input type="checkbox"/> Parks</td> </tr> <tr> <td><input type="checkbox"/> Fire</td> <td><input type="checkbox"/> Planning</td> </tr> <tr> <td><input type="checkbox"/> Legal</td> <td><input type="checkbox"/> Police</td> </tr> <tr> <td><input type="checkbox"/> Public Works</td> <td><input type="checkbox"/> Human Resources</td> </tr> </table>	<input type="checkbox"/> Building	<input type="checkbox"/> M&O	<input type="checkbox"/> Cemetery	<input type="checkbox"/> Mayor	<input type="checkbox"/> Finance	<input type="checkbox"/> Parks	<input type="checkbox"/> Fire	<input type="checkbox"/> Planning	<input type="checkbox"/> Legal	<input type="checkbox"/> Police	<input type="checkbox"/> Public Works	<input type="checkbox"/> Human Resources
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**Action:**

Committee Approval:                     Yes    No

Council Approval:                     Yes    No                    Call for Public Hearing    \_\_\_/\_\_\_/\_\_\_

Referred to \_\_\_\_\_ Until \_\_\_/\_\_\_/\_\_\_

Tabled \_\_\_\_\_ Until \_\_\_/\_\_\_/\_\_\_

<b>Councilmember:</b> Norman	<b>Staff:</b> Baker
<b>Meeting Date:</b> January 7, 2008	<b>Item Number:</b> VIII.A.2

**ORDINANCE NO. 6 1 5 1**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, ADOPTING, FOR THE PURPOSES OF PROCESSING VESTED PERMITS IN THE CITY OF AUBURN ANNEXATION AREAS, AND TO THE EXTENT THAT THEY APPLY, THE KING COUNTY CODES, REGULATIONS AND FEES

WHEREAS, in connection with the recent annexations of Lea Hill and West Hill to the City of Auburn, and accordance with the agreement between the City of Auburn and King County, dated the 20th day of February, 2007, a copy of which is on file with appropriate records custodians of the City and County, pending projects, permits and applications for property in the annexation areas shall continue to be processed in accordance with applicable King County codes, regulations and fees, so long as the projects, permits and applications were properly vested under King County's rules and regulations prior to the annexation into the City of Auburn; and

WHEREAS, in order to accommodate the processing of those projects, permits and applications under King County's codes, regulations and fees in accordance with the agreement for handling such matters between the County and the City, it is appropriate that the City adopt, by reference, the applicable King County codes, regulations and fees for those projects, permits and applications.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, DO ORDAIN as follows:

**Section 1. Adoption of County Codes, Regulations and Fees by Reference.** The City of Auburn hereby adopts, for use in connection with those pending projects, permits and applications vested under King County rules and regulations in advance of the annexation of Lea Hill and West Hill, those King County codes, regulations and fees applicable to such vested projects, permits, and applications for property located within the Lea Hill or West Hill annexation areas of the City of Auburn, in accordance with the agreement between the City and the County, dated February 20, 2007.

**Section 2. Implementation.** The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation, including, but not limited to, authorizing City or County staff to act on the city's behalf in furtherance hereof.

**Section 3. Severability.** The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

**Section 4. Ratification.** That this action also ratifies any actions taken in furtherance hereof, as contemplated in the agreement of the parties dated February 20, 2007.

**Section 5. Effective date.** This Ordinance shall take effect and be in force five days from and after its passage, approval and publication as provided by law.

INTRODUCED: \_\_\_\_\_

PASSED: \_\_\_\_\_

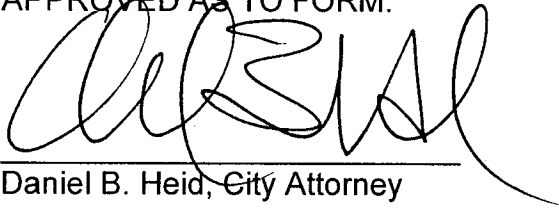
APPROVED: \_\_\_\_\_

\_\_\_\_\_  
PETER B. LEWIS, MAYOR

ATTEST:

\_\_\_\_\_  
Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:



\_\_\_\_\_  
Daniel B. Heid, City Attorney

Published: \_\_\_\_\_