

**CITY OF GOLD BAR, WASHINGTON
ORDINANCE #760**

**AN ORDINANCE FOR THE CITY OF GOLD BAR, WASHINGTON, AMENDING TITLES 8, 10, 12, 15,
AND 16**

WHEREAS, the City of Gold Bar created an Ad Hoc committee to review municipal codes; and

WHEREAS, a result of the code review is the need for multiple amendments and updates; and

NOW THEREFORE, THE COUNCIL FOR THE CITY OF GOLD BAR ORDAINS that Gold Bar Municipal Codes shall be amended as follows:

Section I, Title 8.16.030, Public Nuisances

Section II, Title 8.17.010, Definitions

Section III, Title 10, Violation – Penalty

Section IV, Title 12.05.050, Smoking Prohibited in Public Parks

Section V, Title 15.04, Construction and Development Standards and On-Site Septic Systems

Section VI, Title 15.16.070, Violation – Penalty

Section VII, Title 15.17.090, Open Space

Section VIII, Title 16.06.010, Definitions

Section XIV, Title 16.08.070, Installation of Improvements

Section X, Title 16.10, Plats

Section XI, Title 16.14.220, Lots

Section XII, Severability

Section XIII, Effective Date

Section I, Title 8.16.030 – Public Nuisances

8.16.030 - Public nuisances.

The following acts, omissions, places, conditions, and things are specifically declared to be public nuisances:

7. To carry on the business of manufacturing gun powder, nitroglycerine, or other highly explosive substance, or mixing or grinding the materials therefore, in any building within ~~fifty (50) rods~~ 1,000 feet of any valuable building erected at the time such business may be commenced (RCW 7.48.140).

8. To establish powder magazines near incorporated cities or towns, at a point different from that appointed by the corporate authorities of such city or town; or within ~~fifty (50) rods~~ 1,000 feet of any occupied dwelling house (RCW 7.48.140).

13. Whenever the ~~county noxious weed control board~~ City finds that noxious weeds are present on any parcel of land, and that the owner is not taking prompt and sufficient action to control the noxious weeds, pursuant to the provisions of RCW 17.10.140, it shall notify the owner that a violation of this chapter exists. The notice shall be in writing and sent by certified mail, and shall identify the noxious weeds found to be present, order prompt control action, and specify the time, of at least ten (10) days from issuance of the notice, within which the prescribed action must be taken. Upon deposit of the certified letter of notice, the ~~noxious weed control authority~~ City shall make an affidavit of mailing that is prima facie evidence that proper notice was given. If seed or other propagule dispersion is imminent, immediate control action may be taken forty-eight (48) hours following the time that notification is reasonably expected to have been received by the owner or agent by certified mail or personal service, instead of ten (10) days. If a landowner received a notice of violation from the ~~county noxious weed control board~~ City in a prior growing season, removal or destruction of all above ground plant parts may be required at the most effective point in the growing season, as

determined by the ~~county weed board~~ City, which may be before or after propagule dispersion (RCW 17.10.170).

a. The ~~county noxious weed control board~~ City or its authorized agents may issue a notice of civil infraction as provided for in RCW 17.10.230, 17.10.310, and 17.10.350 to owners who do not take action to control noxious weeds in accordance with the notice (RCW 17.10.170);

b. If the owner does not take action to control the noxious weeds in accordance with the notice, the ~~county board~~ City may control them, or cause their being controlled, at the expense of the owner. The amount of the expense constitutes a lien against the property and may be enforced by proceedings on the lien except as provided for by RCW 79.44.060. The owner is liable for payment of the expense, and nothing in this chapter shall be construed to prevent collection of any judgment on account thereof by any means available pursuant to law, in substitution for enforcement of the lien. Necessary costs and expenses including reasonable attorneys' fees incurred by the ~~county noxious weed control board~~ City in carrying out this section may be recovered at the same time as a part of the action tiled under this section. Funds received in payment for the expense of controlling noxious weeds shall be transferred to the ~~county noxious weed control board~~ City to be expended as required to carry out the purposes of this chapter (RCW 17.10.170);

c. The county auditor shall record in his or her office any lien created under this chapter, and any lien shall bear interest at the rate of ~~twelve (12) percent per annum~~ defined in the Fee Schedule from the date on which the ~~county noxious weed control board~~ City approves the amount expended in controlling the weeds (RCW 17.10.170);

d. As an alternative to the enforcement of any lien created under subsection (3) of this section, the ~~county legislative authority~~ City may by resolution or ordinance require that each lien created be collected by the treasurer in the same manner as a delinquent real property tax, if within thirty (30) days from the date the owner is sent notice of the lien, including the amount thereof, the lien remains unpaid and an appeal has not been made pursuant to RCW 17.10.180. Liens treated as delinquent taxes bear interest at the rate of ~~twelve (12) percent per annum~~ defined in the Fee Schedule and the interest accrues as of the date notice of the lien is sent to the owner; provided, that any collections for the lien shall not be considered as tax. (RCW 17.10.170)

Section II, Title 8.17.010, Definitions

The following provisions apply to this chapter:

B. Junk vehicles shall meet at least three (3) of the following requirements:

1. Is three (3) years or older;
2. Is extensively damaged, such damage including, but not limited to, any of the following: A broken window or windshield, missing wheels, tires, motor or transmission;
3. Is apparently inoperable;
4. Has an approximate fair market value equal only to the approximate value of the scrap in it.
5. Does NOT have current licensing tabs

Section III, Title 10, Violation – Penalty

10.08.03 - Violation—Penalty.

Any person found guilty of a violation of this chapter by a court of competent jurisdiction shall be subject to a fine ~~not to exceed one hundred dollars (\$100.00)~~ as defined in GBMC 1.16.010, at the time of his or her first violation of the terms hereof. For any subsequent violation, such fine shall not exceed two hundred ~~percent fifty dollars (\$250.00)~~ of the GBMC 1.16.010.

10.12.130 - Violation—Penalty.

Violation of any provision of this chapter is a civil infraction. The penalties are as follows:

1. The penalty for violation of this chapter shall be ~~fifty dollars (\$50.00)~~ half the amount defined in GBMC 1.16.010 for each violation. The vehicle shall be issued a parking violation in the form prescribed by the city of Gold Bar and the sheriff's department. Each day in which the same vehicle or trailer is in violation of this chapter constitutes a separate offense and may be punished as a separate offense.

2. All fines shall be paid to the city. The ~~above penalties of fifty dollars (\$50.00)~~ amount defined in GBMC 1.16.010 per violation shall apply only if the penalty is paid within fifteen (15) days from issuance of the notice of violation. If not paid within the fifteen-day period, the fine will increase ~~to seventy-five dollars (\$75.00)~~. based on the late fee defined in the Fee Schedule.

10.16.030 - Violation—Penalty.

Violation of GBMC Section 10.16.020 is a misdemeanor, and will be punished by a fine ~~of not less than one hundred dollars (\$100.00)~~ as defined in GBMC 1.16.010 nor more than one thousand dollars (\$1,000.00) per violation.

Section IV, Title 12.05.050, Smoking Prohibited in Public Parks

12.05.050 - Smoking prohibited in public parks.

It shall be unlawful for any person to smoke cigarettes, cigars, pipes, vapor devices, or to use any other smoking apparatus in any public park except in areas designated by the city.

Section V, Title 15.04, Construction and Development Standards and On-Site Septic Systems

15.04.095 - Construction and development standards.

A. The public works director shall administratively adopt design and construction standards that shall apply to all new construction or reconstruction. At a minimum, the public works director shall adopt the following standards, such standards as with all standards adopted by the public works director to be construed as part of the Gold Bar Municipal Code as if set forth in full:

11. Mailboxes. Subdivisions shall provide cluster mailboxes for centralized mail delivery. Mailboxes installed must conform to USPS standards and be pre-approved as to installation location through the Gold Bar USPS Postmaster and the city's public works director. Approved location for mailboxes shall be shown on street construction plans.

15.04.110 – On site Septic Systems

All residential and commercial buildings or structures served by on-site septic systems are required to have an approved septic design following the requirements of the Snohomish County Department of Health and the Washington State Department of Ecology prior to submitting a building permit application, short plat application, or subdivision application.

Section VI, Title 15.16.070, Violation – Penalty

15.16.070 - Violation—Penalty.

Any person who violates any provision of this chapter shall upon conviction, be punished by a fine ~~of not more than one hundred dollars (\$100.00)~~ as defined in the fee schedule, or by imprisonment for not more than thirty (30) days; and each day's failure of compliance with any such provisions shall constitute a separate violation.

Section VII, Title 15.17.090, Open Space

15.17.090 - Open space.

Mobile home parks designed for ten (10) or more units shall provide three hundred seventy-five (375) square feet per dwelling unit for passive/active developed recreation not to include stormwater/septic drainage fields or landscape buffer zones. Each developed site shall include recreation facilities with a cost value ~~minimum of three hundred dollars (\$300.00)~~ as defined in the fee schedule per dwelling unit which includes such items as playground equipment, picnic equipment, sports facility, etc.

Section VIII, Title 16.06.010, Definitions

16.06.010 - Definitions.

M. "Final plat" is the accepted plan of the subdivision or dedication, or any portion thereof, ~~prepared on Mylar (reproducible)~~ for filing and recording and containing those elements and requirements set forth in this title. After the county auditor has recorded the final plat, it shall thereafter be known as an authorized plat, subdivision or dedication.

N. "Final short plat" is the accepted plan of the short subdivision, or any portion thereof, ~~prepared on Mylar (reproducible)~~ for filing and recording and containing those elements and requirements set forth in this title. After the county auditor has recorded the final plat, it shall thereafter be known as an authorized short plat or short subdivision.

Section XIV, Title 16.08.070, Installation of Improvements

16.08.070 - Installation of improvements.

Improvements are required on streets listed as "Principal Arterial", "Minor Arterial", and or "Collector Arterial" within the current City of Gold Bar Comprehensive Plan. If the public works director approves the short subdivision, the public works director shall notify the subdivider in writing and authorize the subdivider to install all improvements required by this chapter. All improvements shall be installed according to city standards. The subdivider shall obtain all necessary permits and pay all fees and inspection costs related to any constructed improvements. Upon completion of all the improvements or the posting of security as provided in Section 16.12.090, the public works director shall sign the short plat for filing with the Snohomish County auditor's office.

Section X, Title 16.10, Plats

16.10.020 - Preliminary plat procedures.

A. Application. The subdivider or his agent shall submit an application, including a nonrefundable fee, to the public works director. The application shall include at least ~~eight (8)~~ four (4) prints of the plat, to be entitled "preliminary plat-" and a digital copy. The map scale and information required to be submitted with the preliminary plat shall be according to the preliminary plat requirements of this title.

1. The subdivider shall provide, along with the preliminary plat, an environmental checklist pursuant to the Washington State Environmental Policy Act (SEPA), RCW Chapter 43.21C. The public works director shall provide forms and may require additional information if it is deemed necessary.

16.10.030 - Preliminary plat application.

A. Application Filing. The application shall be submitted to, and upon, forms provided by city staff, ~~together with a Mylar reproducible tracing and ten (10)~~ four (4) prints of the proposed subdivision plat, a digital copy, prepared by an engineer or land surveyor duly qualified under the provisions of RCW Chapter 18.43. The application shall be accompanied by a nonrefundable fee and an eight and one-half (8½) by eleven (11) inch reduction ~~and transparency~~ of the reduction of the plat and vicinity maps. The reproducible prints shall be eighteen (18) by twenty-four (24) inches in size and shall allow a three-inch border on the left side. The fee shall be set by Resolution.

16.10.080 - Final plat.

C. Final Plat Submission. The map of the final plat consisting of the original and ~~eight (8)~~ four (4) copies, on eight and one-half (8½) by eleven (11) inch reduction electronic copy ~~and a Mylar transparency~~ of the original, a nonrefundable fee, together with street profiles and other plans and documents as may be required by the city staff, hearing examiner, consultants, and/or the city council, shall be submitted to the public works director. All inspection and plan check fees shall be paid to the city.

D. Plat Map Contents. The final plat shall be drawn to scale of not less than one (1) inch representing one hundred (100) feet unless, otherwise approved by the public works director, ~~with India ink or the equivalent on reproducible Mylar~~, eighteen (18) by twenty-four (24) inches in size and allowing a three (3) inch border on the left side. If more than one (1) sheet is required, each sheet, including the index sheet, shall be the above specified size. The index sheet shall show the entire plat with street and highway names and blocks. The original shall contain the following:

Section XI, Title 16.14.220, Lots

16.14.220 - Lots.

A. Required. The size, shape and orientation of lots shall meet the minimum area and width requirements of the applicable zoning classification and shall be appropriate for the type of development and use contemplated. However, if lots for individual sale or lease are created, they shall conform to the following criteria:

10. Lots adjacent to a principal and minor arterial ~~should~~ shall be laid out so as to provide access to streets other than arterials and a waiver of direct access shall be required as a condition of approval. If the developer presents proof that direct vehicular access to such lots is necessary to development of his property, direct access may be permitted. Reasonable conditions may be imposed to minimize potential hazards to public safety.

Section XII, Severability

This ordinance is severable and if any portion of it shall be declared invalid or unconstitutional, the remaining portion shall remain valid and enforceable.

Section XIII, Effective Date

This ordinance shall take effect from, and after, its passage, approval, and publication as provided by law.

Passed by the City Council of the City of Gold Bar this _____ day of _____, 2022.

Attest: _____, Lisa Stowe, Clerk/Treasurer

Attest: _____, Steve Yarbrough, Mayor