CITY OF GOLD BAR, WASHINGTON
ORDINANCE #796

AN ORDINANCE FOR THE CITY OF GOLD BAR, WASHINGTON AMENDING GOLD BAR MUNICIPAL CODES

WHEREAS, the City of Gold Bar Municipal Code titles and chapters are regularly updated in individual segments; and

WHEREAS, the Municipal Code also requires occasional full review; and

WHEREAS, full review finds multiple minor updates;

NOW THEREFORE, THE COUNCIL FOR THE CITY OF GOLD BAR ORDAINS that Gold Bar Municipal Codes be updated as follows.

Section I	**Title 1, General Provisions**
Section II	**Title 2, Administration and Personnel**
Section III	**Title 3, Revenue and Finance**
Section IV	**Title 5, Business Licenses and Regulations**
Section V	**Title 6, Animals**
Section VI	**Title 8, Health and Safety**
Section VII	**Title 10, Vehicles and Traffic**
Section VIII	**Title 12, Streets, Sidewalks, and Public Places**
Section IX	**Title 13, Public Services**
Section X	**Title 14, Stormwater**
Section XI	**Title 15, Buildings and Construction**
Section XII	**Title 16, Subdivisions**
Section XIII	**Title 17, Zoning**
Section XIV	**Title 18, Environment**
Section XII	**Severability**
Section XIII	**Effective Date**

Section I, Title 1, General Provisions

1.01.010, Adoption

Pursuant to the provisions of RCW 35.21.500 through 32.21.570 there is adopted the "Gold Bar Municipal Code," as compiled, edited and published by ~~Book~~ Code Publishing Company, Seattle, Washington.

1.06.010, Introduction

With the exception ~~if~~ of ordinances and resolutions adopted by reference, every ordinance shall be introduced in writing in the form in which it is finally to be passed. Ordinances and resolutions must be introduced ~~and sponsored by a member of the city council except that the mayor and the city attorney may propose ordinances and resolutions and any council person may assume sponsorship thereof by moving that such ordinance or resolution be introduced~~ by the Clerk/Treasurer, Mayor, or designated staff. All

ordinances, other than emergency ordinances, shall only be introduced and read at regular council meetings. Revisions and amendments may be made by voice vote ~~and shall be made to the ordinance or resolution before it is presented again to the council~~.

1.06.040, Time of Passage

An ordinance must be passed from its first reading to a date certain for its second reading. Within forty-eight (48) hours after an ordinance is passed at its first reading, it shall be posted ~~on the bulletin boards of the city hall and the post office~~ as part of the Council meeting packets on the City's website. ~~A third site~~ Other sites within the city limits may be used at staff discretion. ~~The notice shall indicate the date set for the second or subsequent reading.~~

1.06.100, City Attorney Drafting and Approval of Ordinances and Resolutions

~~All~~ As needed, ordinances and resolutions shall be reviewed by the city attorney as to form and legality and shall be so approved by the city attorney prior to final passage. No ordinance or resolution shall be prepared by the city attorney unless ~~ordered~~ requested by a majority vote of the city council or requested by the mayor or Clerk/Treasurer.

Section II, Title 2, Administration and Personnel

2.04.020, Audience Participation During Meetings

B. Audience Comments in General.

> 3. Persons addressing the city council will be requested to step to the podium and give their name ~~and address~~ for the record.

2.36.070, Retirement Annuity Contracts - Purchase

~~In order to accumulate the appropriate funds to pay participating employees' and officials' benefits in accordance with the deferred compensation plan, the council does authorize and approve the purchase of retirement annuity contracts as issued by Aetna Variable Annuity Life Insurance Company in such amounts as may be appropriate to provide plan benefits.~~

Section III, Title 3, Revenue and Finance

3.04.010, Annual Inventory of Assets

A. The city shall take an inventory of the city's fixed assets on a yearly basis. This inventory shall be completed by the first of March, or as soon thereafter as possible.

B. There shall cause to be made a standard form for taking of this inventory.

C. This inventory shall be taken by ~~each department head~~ staff.

D. ~~Department heads~~ Staff responsible for these assets shall review the completed inventory and attach their comments thereto.

E. Once the physical inventory is complete and ~~the department heads~~ staff have attached their comments thereto, the ~~mayor~~ Public Works Director and/or Clerk/Treasurer shall review the same, reconcile any

differences that exist between the physical inventory and the fixed asset records reported by the city, and ~~submit to required agencies~~ make available as requested.

3.08.010, Expenditure of Funds

A. Any purchase of supplies, materials, equipment or services except wages for city employees and contract service which are not part of the previously approved budget, or which would cause a fund to go over the approved budget amount, shall not be made by the mayor, or anyone else on behalf of the city, unless the expenditure ~~is first approved by the city council or the expenditure meets the emergency provisions of Section 3.08.030~~. is part of the city's approved budget, meets requirements in the city's Purchase and Procurement Policy, and/or receives any required supervisor approvals.

B. All capital expenditures must ~~receive prior approval by the council~~ be part of the city's approved budget, meets requirements in the city's Purchase and Procurement Policy, and/or receives any required supervisor approvals.

3.31, ~~Street Improvement~~ Grant Fund

3.31.010 - Fund created.

There is created and established a fund in the finances of the city to be designated as the "~~General and Street~~ Grant fund." The grant fund shall receive and have appropriated to it grants and other monies as specified for ~~general and street~~ grants awarded to the City of Gold Bar.

Section IV, Title 5.04.050, License Required

5.04.050, License Required

D.

1. A business license shall expire on December 31 of each year and a new license shall be required beginning January 1 of each year. A licensee otherwise in compliance with the terms of this chapter may renew the business license by completion of the business license application, payment of the annual city license fee, and subject to review as stated in 5.04.050~~(O)~~ (D) (2).

H. A business license shall be personal and nontransferable. Where a licensee's place of business is changed, the licensee shall notify city staff, and upon approval by the city a new city license shall be issued for the new place of business without charge for the city license. A change of business location may require the reapplication and payments of fees for other licenses held by the business, and necessitate the ~~tiling~~ filing of a master application through the master license service in addition to the notification to the city.

5.05.130, Failure to Apply For License

Failure to apply for a license shall be handled and regulated through the agreement with the ~~d~~Department of ~~r~~Revenue. The ~~d~~Department of ~~r~~Revenue shall send regular reports to the city listing those businesses that have not renewed licenses, or those businesses with UBI numbers operating within the incorporated city limits but without a city license. The department shall enforce licensing regulations relating to failure to license and associated fines.
(ask Denise if this is accurate and if she gets these reports.)

5.09.050, Fire Inspections

All businesses with a physical "bricks and mortar" presence within city limits shall be required to have annual fire inspections done, under the Washington State Building Code, including WAC Title 51 and RCW 19.27.031, with all applicable amendments. Inspections shall be conducted through an interlocal [agreement] with Snohomish County Fire Marshall and any associated fees, including fines, shall be borne by the business owner.

Section V, Title 6, Animals

6.02.003, License required.

A. It is unlawful for any person to own, keep or maintain on their premises five (5) or more dogs unless a private kennel, commercial kennel, animal shelter, boarding facility, grooming parlor or pet shop license has been issued to the premises pursuant to this chapter.

B. Any kennel that qualifies as a nonconforming use due to an excess number of dogs shall be brought into compliance with applicable codes and regulations within six months of the date it became nonconforming, whether by annexation or by the subsequent enactment of new regulations.

6.05.002, Appeal of notice of potentially dangerous or dangerous dog

A. Any owner of a dog which has been declared potentially dangerous or dangerous by the animal control agency or officer, pursuant to Section 6.04.010 may appeal the declaration to the hearing examiner within fifteen (15) business days from the date of the declaration.

6.06.001 - Enforcement power

A. The animal control officer, Snohomish County Sheriff Deputies, and/or ~~authorized personnel~~ Snohomish County Animal Control officers are hereby authorized to take such lawful action as may be required to enforce the provisions of this title and the laws of the State of Washington as they pertain to animal cruelty, shelter, welfare and control.

B. The animal control officer, Snohomish County Sheriff Deputies, and/or ~~authorized personnel~~ Snohomish County Animal Control officers, while pursuing any animal observed ~~by him~~ to be in violation of the resolution codified herein, may enter upon any public or private property, except any private residence, for the purpose of abating the animal violation being pursued. Entry into a building designated for and used for private purposes may be accomplished upon the issuance of a proper search or arrest warrant by a court of competent jurisdiction showing that the officer has reasonable cause to believe an animal is being maintained in the building in violation of this title.

D. For the purposes of animal control, any law enforcement officer or Snohomish County Animal Control officer contracting with, or employed by, the City of Gold Bar, ~~or any authorized person~~ or any animal control officer employed by the City of Gold Bar shall have the enforcement power granted under Gold Bar Municipal Code

6.06.004, Impounding

A. The city animal control officer, Snohomish County Sheriff Deputies, and/or ~~authorized personnel~~ Snohomish County Animal Control may apprehend any animals found doing, or involved in, any of the acts defined as a public nuisance and/or being subjected to cruel treatment as defined by law.

6.06.014, Habitual Violator

In addition to any legal remedy available under the provisions of this title, the city animal control officer may notify and direct the person receiving more than three (3) notices of violation in a ~~one year~~ twelve month consecutive period, to abate and remove said animal from the city within ninety-six (96) hours from the date of said notice, or in the alternative, to abate and transfer ownership and possession of said animal to another person not living at the same place of residence. If such animal is found in violation of the abatement notice after ninety-six (96) hours have elapsed from the date of notice, said animal shall be abated and removed by the City of Gold Bar animal control officer by impoundment, subject to all impoundment procedures provided, however, said animal may not be returned to the same residence or property from which it was impounded or resided.

6.06.016, Rabies Control

In the event that any animal has bitten a human and the animal control officer has reason to suspect that the animal is rabid, or in the event that the animal control officer has reason to suspect that any animal is rabid, regardless of if a bite has occurred, the appropriate officials of the Snohomish Health District shall be notified and the animal control officer shall coordinate any further activities with said health district.

6.06.021, Stray animals

D. Any person taking up such domestic animal found running at large or contrary to the provisions of this chapter shall surrender such animal to the animal control officer, the chief of police, or to a Snohomish County animal control officer ~~duly authorized staff~~ upon demand thereof.

Section VI, Health and Safety

8.14.090, Securing and posting requirements

The posting shall be placed on the interior of a window facing the street to the front of the property so ~~ii~~ it is visible from the street, or secured to the exterior of the building/structure facing the street to the front of the property so it is visible from the street, or, if no such area exists, on a stake of sufficient size ~~lo~~ to support the posting in a location that is visible from the street to the front of the property but not readily accessible to vandals. Exterior posting must be constructed of, and printed with, weather resistant materials.

8.16.020, Public nuisance defined

4. Unlawfully and substantially interfere with, obstruct or tend to obstruct or render dangerous ~~tor~~ to passage any street, alley, highway, navigable body of water or other public way.

52. Trees, plants, bushes, shrubs, grasses, vines, or other vegetation or parts thereof that are growing and/or have grown and died, that cause a ~~tire~~ fire hazard or menace to public health and safety, or are degrading or causing a decline of the character of the neighborhood.

8.16.040, Traveling mobile units

A. Parking Restricted. Residential motor vehicles, such as house trailers and ~~RV's~~ recreational vehicles, may not be parked and occupied on any real property within the city, unless otherwise permitted by this code, for any continuous period extending for more than thirty (30) calendar days or a total of fifty (50) days in any calendar year.

8.16.060, Abatement of public nuisances

A. Inspection of Premises. Whenever a complaint is made to the code enforcement officer that a public nuisance exists within the city, the code enforcement officer or appropriate city staff shall forthwith inspect or cause to be inspected the premises and shall make a written report of the findings.

B. Abatement.

3. A copy of the notice provided for in subsection (B)(2) of this section shall be sent to the owner and may be sent to any other of such persons sought to be charged with the responsibility of abatement. The notice shall be sent by mail, postage prepaid, and addressed as follows:

> a. To the owner: As such person's name and address appears on the records of the Snohomish County ~~treasurer~~ Assessor, or as known to the enforcement officer of the person authorized by the enforcement officer to give such notice;

C. Abatement by Court Action. If the inspecting officer shall determine that a public nuisance exists on private premises but that the nature of such nuisance is not such as to threaten great and immediate danger to the public health, safety, peace, morals or decency, he or she may ~~tile~~ file a written report of his findings with the mayor who may cause an action to abate such nuisance to be commenced in the name of the city.

8.20.010, Use of fireworks
It is unlawful for any person to ~~tire~~ fire or cause to be fired any cannon, bomb, anvil or toy pistol, or fire or cause to be exploded any squib, rocket, cracker, Roman candle, torpedo, fireworks or fireworks display or other explosive device used for pyrotechnic display within the city.

Section VII, Title 10, Vehicles and Traffic

10.08.020 - Special weight limitations

A. The mayor, city council, and/or authorized city staff, shall have the authority to further regulate and restrict any and all vehicular traffic upon or over any street, alley, highway or other public thoroughfare within the corporate limits of the city down to a gross weight of twelve thousand (12,000) pounds when the mayor, city council, and/or authorized city staff deems it necessary to safeguard the public streets of the city because of winter freeze and/or thaw. To effectuate such restrictions, signs shall be clearly posted at the beginning and end of each street where the weight limit is further restricted and at each intersection to the street where the street intersects another street not so restricted. Such further regulations and restrictions imposed by the ~~city superintendent~~ mayor, city council, and/or authorized city staff under this section shall be effective upon the posting of the aforementioned street signs and shall remain in effect until the mayor, city council, and/or authorized city staff orders the signs removed, or the mayor or the city council orders the regulations modified or removed.

10.12.040, Minimum street width requirement

No person shall stop, stand or park any vehicle upon a street in such a manner or under such conditions as to leave available less than ten (10) feet of the width of the roadway, measured from the center of the roadway on a two-way street on each side of the center of the roadway, for free movement of vehicular traffic, except that a driver may stop temporarily during the actual loading or unloading of passengers or when necessary in obedience to traffic regulations or traffic signs or signals or directions of a peace officer. When the requirements of this section conflict with the provisions of Section 10.12.030, the provisions of this section shall supersede provisions of Section 10.12.030.

10.12.050, Parking restrictions

A. It is unlawful to park a vehicle upon any street of the city's business district for a period longer than twenty-four (24) hours continuously. The Gold Bar business district, for the purposes of this chapter, is defined as the north side of Highway 2 ~~(Stevens Avenue)~~, from the east city limits to the west city limits, and on the east and west sides of all streets that intersect on the north side of Highway 2 for a distance of three hundred thirty (330) feet from the intersection with Highway 2.

10.12.070, Special events—Temporary parking closures

B. The sheriff's department and appropriate agencies shall be notified of any closure and, if possible, ~~a notice shall be placed in the city's designated newspaper to notify~~ citizens shall be notified of the parking closure.

Section VIII, Title 12, Streets, Sidewalks, and Public Places

12.04.020, Sidewalks in need of repair

B. If, in the opinion of the public works director, the sidewalk is in need of immediate repair, cleaning or renewal for the benefit of the public safety or welfare, the ~~street commissioner~~ public works director may order the improvement made within any reasonable time.

12.04.050, Recovery of cost

The ~~public works director~~ city's code enforcement officer shall have the option, as detailed in GBMC 12.04.040, to assess a violation, invoice the property owner, or lien the property. Invoices must cover full cost of staff time, supplies and equipment used, and an administrative fee.

12.05.030, Unlawful conveyance, other than foot traffic

A. No person shall ride or use a skateboard, bicycle, motorized foot scooter, roller blades or roller skates, motorized vehicles, micro-mobility vehicles, and/or electric vehicles to go upon any grass or vegetated portion of any public park.

B. It is unlawful to operate any motorized vehicle, micro-mobility vehicles, and/or electric vehicles, or park ~~a vehicle~~ any of the same within or upon any paved city parks property, except in clearly marked areas designated for operating or parking ~~a~~ such vehicles; provided, that it is unlawful to operate or park a vehicle in a manner which obstructs any roadway or path or which prevents other persons in the park from safely using any path, roadway, or significant portion of the park. Emergency vehicles and/or motorized or non-motorized equipment for disabled persons are exempt from this section.

12.06.020, Compliance

Following the effective date of the ordinance codified in this chapter, all use of the public ways of the city and other city-owned property for telecommunications uses shall conform to the provisions of ~~the "Telecommunications Development Guide - 1997 Edition"~~ federal, state, and local regulations as stated therein.

Section IX, Title 13, Public Services

13.04.010, Application for water service

All applications for connection to or use of city water services shall be made on forms furnished by the city and shall be filed with the ~~city superintendent~~ city office manager and/or public works director.

13.04.170, Lien for delinquent water charges

The water department elects to claim and does claim a lien in the manner provided by RCW 35.21.290 and RCW 35.21.300, as now or hereafter amended, for all delinquent and unpaid charges for water and special charges against the premises to which the same has been furnished. This shall not preclude the city from seeking other remedies provided by law. Provided, however, if the owner of said premises shall request shut off of services, accompanied by payment or tender of payment of the then delinquent and unpaid charges for such service against the premises along with any cut-off charge, then the owner shall not be responsible for any charges that shall accrue from that date forward, and the city shall have no lien for charges for any service provided thereafter. All such liens shall not be for more than four (4) months of ~~service~~ charges therefor due or to become due but not for any charges more than four months past due, as required within RCW 35.21.290, unless such limitation is waived. Enforcement of this lien provision may also be made by cutting off service until the delinquent and unpaid charges are paid.

(Note: the following water funds are all seriously outdated, some from the time when the USDA loan was still Farmers. I've tried to revise to align with the funds we have and how we currently use them, but make sure I've done it correctly.)

13.04.350, Water capital improvement fund

There is established for the city a water capital improvement fund, (403) which fund shall be used for budgeted water system capital improvements, major repairs and improvements, and emergency repairs or other incidents that cause major damage to the city's water system.

Monies for this fund shall be taken from assessments imposed by GBMC Section 13.04.130 in the amount and manner specified by council resolution. Appropriations from this fund shall be subject to the annual budget process and the city's purchase and procurement policy unless emergency conditions do not provide sufficient time, in which case the appropriation shall be subject to the approval of the mayor.

13.04.370, Water debt service fund and ~~FmHA~~ USDA required ~~account No. 1 fund~~ funds.

A. There is established for the city a water debt service ~~No. 1~~ fund (407), which fund shall be used to retire the obligation owing to United States Department of Agriculture (USDA), ~~Farmers Home Administration~~.

B. There is ~~also~~ established for the city an ~~FmHA~~ USDA required reserve ~~account No. 1~~ fund (404), which fund shall accumulate one thousand five hundred dollars ($1,500.00) per year until a total amount of ~~fifteen thousand dollars ($15,000.00)~~ $74,359.64 is contained in said fund to be held pursuant to the loan agreement for ~~the Farmers Home Administration~~ USDA as contingency funds to pay the yearly

payment ~~to Farmers Home Administration~~ in the event the water debt service ~~No. 1~~ fund 407 would have insufficient funds to pay said yearly payment.

C. There is established for the city an USDA required water emergency reserve fund to be used for major repairs and improvements necessitated by an emergency, including acts of God or other incidents that cause major damage to the city's water system. This fund is to be held in reserve for the length of the USDA loan and are to be used when other emergency funds are depleted.

Monies for this fund shall be taken from assessments imposed by GBMC Section 13.04.130 in the amount and manner specified by council resolution. Annual transfers shall be undertaken until the total amount of the water emergency fund reaches ~~two hundred thousand dollars ($200,000.00)~~ eighty-five thousand dollars ($85,000). Monies collected shall also be used to replenish the water emergency reserve fund should the amount in the fund be reduced below ~~two hundred thousand dollars ($200,000.00)~~ eighty-five thousand dollars ($85,000).

Appropriations from this fund shall be subject to council approval, unless emergency conditions do not provide sufficient time to acquire council approval, in which case the appropriation shall be subject to the approval of the mayor.

(section 'C' was formerly GBMC 13.04.380)

~~*13.04.380, Water emergency reserve fund*~~

~~There is established for the city a water emergency reserve fund to be used for major repairs and improvements necessitated by an emergency, including acts of God or other incidents that cause major damage to the city's water system.~~

~~Monies for this fund shall be taken from assessments imposed by GBMC Section 13.04.130 in the amount and manner specified by council resolution. Annual transfers shall be undertaken until the total amount of the water emergency fund reaches two hundred thousand dollars ($200,000.00). Monies collected shall also be used to replenish the water emergency reserve fund should the amount in the fund be reduced below two hundred thousand dollars ($200,000.00).~~
~~Appropriations from this fund shall be subject to council approval, unless emergency conditions do not provide sufficient time to acquire council approval, in which case the appropriation shall be subject to the approval of the mayor.~~

Section X, Title 14, Stormwater

14.04.030, Rate policy

It shall be the policy of the city that the rate structure initially be a fixed fee per developed tax parcel.

(3) Low income senior citizens may apply for a ~~fifty percent~~ discount to their stormwater utility fee. "Low income senior citizen" means persons sixty-two (62) years of age or older, on or before January 31 of the year of the filing for the discount. Low income is based on two hundred (200) percent of the federal poverty guidelines.

Section XI, Title 15, Buildings and Construction

Note: do word search in code for every mention of the following code numbers as they will have to be updated if these are referenced in other codes.

~~*15.04.010, State Building Code Act adopted.*~~
~~The certain document, one (1) copy of which is on file and is open for inspection by the public in the office of the building official of the city, being marked and designated as State Building Code Act, RCW 19.27 is adopted by reference.~~

15.04.~~020~~ 010, Washington State Building Code adopted

15.04.~~030~~ 020, ~~Uniform~~ International Building Code adopted.

That certain document, one (1) copy of which is on file and is open for inspection by the public in the office of the building official of the city, being marked and designated as the ~~Washington State Building Code, as based on Washington State's currently adopted~~ International Building Code, including all appendices and building code standards incorporated in said code, adopted with the amendments required by Chapter 51-30 WAC, published by the International Conference of Building Officials, is adopted by reference. Any violations of the provisions of this code shall be punishable under Section 15.04.160.

15.04.025, Interpretation—Definitions

To the extent permitted by state and federal law, "enforcement officer" means the building official except for those matters delegated to ~~tire~~ fire district officials by operation of state law for the enforcement of the Washington State Building Code, including WAC Title 51 and RCW 19.27.031, with all applicable amendments.

15.04.~~040~~ 030, Uniform Plumbing Code adopted

That certain document, one (1) copy of which is on file and is open for inspection by the public in the office of the building official of the city, being marked and designated as Uniform Plumbing Code, ~~1997 Edition~~ along with the Uniform Plumbing Code Standards, both Code and Standards as amended by Chapters 51-46 and 51-47 WAC, published by the International Conference, of Building Officials and International Association of Plumbing and Mechanical Officials is adopted by reference. Any violations of the provisions of this code shall be punishable under Section 15.04.160.

15.04.~~070~~ 040, ~~Uniform~~ International Mechanical Code adopted
That certain document, one (1) copy of which is on file and is open for inspection by the public in the office of the building official of the city, being marked and designated as ~~Uniform~~ International Mechanical Code, ~~1997 Edition,~~ is adopted with the amendments required by Chapter 51-42 WAC, published by the International Conference of Building Officials. Any violations of the provisions of this Code will be punishable under Section 15.04.160.

15.04.~~080~~ 050, ~~Uniform~~ Washington State Fire Code adopted

That certain document, one (1) copy of which is on file and is open for inspection by the public in the office of the building official of the city, being marked and designated as ~~Uniform~~ Washington State Fire Code, ~~1997 Edition~~ along with the ~~Uniform~~ Washington State Fire Code Standards, both Code and Standards as amended by Chapters 51-44 and 51-45 WAC, published by the International Conference of Building Officials and Western Fire Chiefs Association is adopted by reference. Any violations of the provisions of this code shall be punishable under Section 15.04.160.

15.04.~~081~~ 051, Fire department access

15.04.~~082~~ 052, ~~Uniform~~ Washington State Fire Code amendments

A. Section 8204.2 of the ~~Uniform~~ Washington State Fire Code is amended to read as follows:

B. Storage of Flammable or Combustible Liquids In Outside Above-Ground Tanks. Notwithstanding Sections 5202.3.1, 5202.3.6, and 5202.4.1 and Appendix II-F of the U.F.C., the limits referred to in Sections 7902.2.2.1 and 7904.2.5.4.2, and in which storage of flammable or combustible liquids in outside above-ground tanks (and including bulk storage) shall be limited to one thousand (1,000) gallons per tank with an aggregate capacity of two thousand (2,000) gallons per site. Above-ground flammable or combustible liquid storage tanks shall only be permitted in industrial zoning districts identified in Title 17. A special permit shall be issued for all above-ground flammable or combustible liquid storage tanks. Temporary uses may be permitted during periods of construction. All above-ground flammable and combustible liquid storage tanks shall be constructed as required in the ~~Uniform~~ Washington State Fire Code and approved by the fire chief.

C. Storage of Explosives and Blasting Agents. The terms "explosives" and "blasting agents" shall have the meanings and/or classifications set forth in Article 77 and Appendix VI-E, Section 1 of the ~~U.F.C.~~ Washington State Fire Code and the tables set forth therein. The storage of explosive materials is prohibited within the city limits pursuant to Section 7701.7.2 ~~U.F.C~~. Washington State Fire Code, except as otherwise may be provided in this code.

5.04.~~085~~ 053, Uniform Code for the Abatement of Dangerous Buildings adopted

That certain document, one (1) copy of which is on file and is open for inspection by the public in the office of the building official of the city, being marked and designated as the Uniform Code for the Abatement of Dangerous Buildings, ~~1997 Edition~~, published by the International Conference of Building Officials, is adopted by reference.

15.04.~~090~~ 060, American National Standard Specifications for Making Buildings and Facilities Accessible To and Usable By the Physically Handicapped—Adopted

That certain document, one (1) copy of which is on file and is open for inspection by the public in the office of the building official of the city, being marked and designated as the entire text of the American National Standard Specifications for Making Buildings and Facilities Accessible To, and Usable By, the Physically Handicapped ~~1988 Edition~~, published by the American National Standards Institute, Inc., is adopted by the city by reference, together with all appendices now or hereafter attached thereto, and made a part of the said American National Standard Specifications, ~~1988 Edition~~.

15.04.~~095~~ 065, Construction and development standards

15.04.~~100~~ 070, Adopted codes on file

15.04.~~120~~ 080, Permit—Expiration and renewal

15.04.~~130~~ 090, Disclaimer of liability

15.04.~~140~~ 100, Verification of property lines and setbacks—Responsibility

15.04.~~150~~ 120, Resolution of conflicting provisions

15.04.~~160~~ 130, Violation—Penalty

15.17.010, Purpose and intent

A. The purpose of this chapter is to establish minimum standards and requirements for the placement, construction, expansion and operation of mobile homes and mobile home parks. It is the intent of this chapter to recognize the changing trends of mobile home development and to provide regulations that allow a certain degree of flexibility in construction and design. The regulations contained in this chapter have been determined by the city council to be in accord with the general development plan for the city and are necessary to protect and secure the public health, safety and general welfare.

B. The regulations contained in this chapter are also intended to implement and supplant ~~the "Mobile Home Regulations of the State of Washington Department of Health"~~ regulations for mobile and manufactured homes required by the Washington State Department of Health and the Department of Labor and Industries only where this title prescribes minimum standards equal to or greater than the state rules and regulations.

15.17.020, Definitions

"Building" means any permanent structure having a roof supported by columns or walls attached to for the shelter, housing or enclosure of persons, chattels, or property of any kind and must meet the standards of the city adopted ~~Uniform~~ Washington State Building Code. "Building" does not include a mobile home or other accessory awnings, cabanas and carports, which are portable and are designed to be readily assembled and disassembled and adapted to transportation.

15.17.030, Variances, fees and enforcement regulations

Variances, fees and enforcement of this chapter shall be as follows:

A. Variance. Variances from this chapter may be acquired using the procedures and criteria specified in Chapter 17.72 and Title 19.

B. Chapter 17.84 shall govern violations of this chapter. Any violation of this chapter shall constitute a violation of Title 17 for purposes of applying Chapter 17.84.

C. Fees related to this chapter are set within the City of Gold Bar Fee Schedule.

15.17.050, Site improvements

Site improvements in mobile home parks shall be as follows:

F. All mobile homes and mobile home parks shall be connected to a municipal water system and all plumbing shall be in compliance with the ~~adopted UPC~~ Uniform Plumbing Code adopted by the city.

15.17.070, Fire hydrants

Fire hydrants in compliance with the ~~UFC~~ Washington State Fire Code shall be installed at distances not more than one hundred fifty (150) feet apart in all mobile home parks.

15.20.010, Address and street master plan

There is established a uniform system of numbering properties and principal buildings and an official system of street names in the city, as shown on the map entitled "Address and Street Name Master Plan," adopted by reference by the city council, and filed ~~in~~ at the City of Gold Bar ~~office of the city clerk-treasurer~~. This map and all explanatory matter thereon is hereby adopted and made part of this chapter by reference.
(is there such a map?)

15.26.060, Collection

Deferrals.

G. Final payment of deferred impact fees will include a ~~three (3)~~ ten (10) percent administrative fee but not less than fifty dollars ($50.00).

15.26.080, Transportation impact fee component formula

The impact fee component for transportation facilities shall be calculated using the information within the transportation and capital facilities elements of the Gold Bar comprehensive plan. The fee is based on the cost of providing the items listed within the six-year transportation improvement plan and the transportation and capital facilities elements in the Gold Bar comprehensive plan. The calculated fee can be found in the adopted fee schedule. ~~The cost share to be obtained by the impact fee is two hundred eighty-nine thousand two hundred thirty-five dollars ($289,235.00). The cost share shall be allocated to new development at a cost of sixty-five dollars and eight cents ($65.08) per trip generated. The methodology used to determine cost per trip and the fee schedule to be used in determining trips generated by new development is contained within the 1997 Gold Bar impact fee study, as modified by the November 9, 1999 staff report to the mayor and city council, entitled "Recommendation for Government Rate Increases 1999." Both documents are incorporated by this reference as if set forth in full, and the city clerk-treasurer shall keep copies thereof for inspection by the public.~~

15.26.090, Park impact fee component formula

Using the above formula, the park impact fee is included in the adopted fee schedule. ~~is eight hundred sixty-six dollars ($866.00) per single-family dwelling unit and five hundred eighty-nine ($589.00) dollars per multifamily unit. Supporting data and methodology for the park impact fee is contained in the 1997 Gold Bar impact fee study, as modified by the November 9, 1999 staff report to the mayor and city council, entitled "Recommendation for Government Rate Increases 1999." Both documents are incorporated by this reference as if set forth in full, and the city clerk-treasurer shall keep copies thereof for inspection by the public.~~

15.26.120, Exemptions

C. The ~~city clerk-treasurer~~ Public Works Director shall be authorized to determine whether a particular development activity falls within an exemption identified in this section, in any other section, or under other applicable law. Determinations of the ~~city clerk-treasurer~~ Public Works Director shall be in writing and shall be subject to the appeals procedures set forth in the GBMC.

15.26.130, Independent fee calculations

A. The city council may adjust the impact fees for a specific development upon recommendation of the ~~city clerk-treasurer~~ public works director based on the procedures set forth in the following sections.

B. If the ~~city clerk treasurer~~ public works director concludes that one (1) or more of the impact fee categories or impact fee amounts set forth in the schedules in Sections 15.26.080 and 15.26.090 accurately describe or capture the impacts of a development activity on planned facilities, the ~~city clerk treasurer~~ public works director may conduct independent fee calculations. The appropriate departments (public works, parks) shall review the independent fee calculation and provide an analysis to the ~~city clerk treasurer~~ public works director concerning whether the independent fee calculation should be accepted, rejected, or accepted in part. The ~~city clerk treasurer~~ public works director may then recommend to the city council alternative impact fees on a specific development activity based on these calculations. The alternative impact fees and the calculations shall be set forth in writing and shall be mailed to the fee payer prior to consideration by the city council.

C. If a fee payer opts not to have the impact fees determined according to the schedules set forth in Sections 15.26.080 and 15.26.090, then the fee payer shall prepare and submit to the ~~city clerk treasurer~~ public works director an independent fee calculation for the development activity for which final plat, planned unit development, or other development approval, or building permit is sought. The documentation submitted shall show the basis upon which the independent fee calculation was made. The appropriate departments (public works, parks) and/or Sultan school district shall review the independent fee calculation and provide an analysis to the ~~city clerk treasurer~~ public works director concerning whether the independent fee calculation should be accepted, rejected, or accepted in part. The ~~city clerk treasurer~~ public works director shall consider the documentation submitted by the fee payer and the analysis prepared by the appropriate departments, but is not required to accept such documentation or analysis which the ~~city clerk treasurer~~ public works director deems to be inaccurate or not reliable, and may, in the alternative, require the fee payer to submit additional or different documentation for consideration. The ~~city clerk treasurer~~ public works director may recommend to city council adjustment to the impact fees on a case-by-case basis based on the independent fee calculation, the specific characteristics of the development activity, and/or principles of fairness. The alternative impact fees and the calculations shall be set forth in writing and shall be mailed to the fee payer prior to consideration by city council.

D. Following receipt of a recommendation from the ~~city clerk treasurer~~ public works director, the city council may adopt, reject or adopt in part the independent fee calculation based on the analysis prepared by appropriate departments, and based on the specific characteristics of the development activity, and/or principles of fairness. The final decision of city council shall be set forth in writing and mailed to the fee payer within ten (10) days following the decision.

E. Any fee payer submitting an independent fee calculation will be required to pay the city a nonrefundable fee to cover the cost of reviewing the independent fee calculation. The fee shall be five hundred dollars ($500.00) plus the actual cost of any additional staff time in excess of five hundred dollars ($500.00) spent in the review, and the cost of consultant services if the city deems these services to be necessary; provided, however, for independent fee calculations for single residential lots where, in the sole discretion of the city council, the issues involved are easily handled and the fee is clearly excessive, the five hundred dollars ($500.00) may be reduced. The city shall require the fee payer to post a cash deposit of five hundred dollars ($500.00) prior to initiating the review.

15.26.140, Credits

A. Credit Available. After the effective date of the ordinance codified in this chapter, credit against the amount of the impact fees for developer dedications of land for the planned facilities or construction of planned facilities, or improvements to planned facilities shall be governed by this section. This section allows for the provision of credit to a fee payer for the value of any dedication of land for improvements or new construction of planned facilities by a fee payer, pursuant to RCW Section 82.02.060(3), as further

provided herein. The amount of the credit for a particular improvement or facility shall be limited to the cost of that improvement or facility as set forth in subsection C of this section, as now or hereafter amended. Credits shall be specific to the type of improvements or dedication made, such that dedications of land for, construction of or improvements to publicly owned parks, open space or recreational facilities shall be applicable only to the parks impact fee; dedications of land for, construction of, or improvements to public streets, roads or traffic control devices shall be applicable only to the transportation impact fee. All credit requests shall be reviewed and approved by the city council following a recommendation being submitted by the ~~city clerk treasurer~~ public works director.

B. Application for Credit/Determination of Suitability of Land, Improvements, Construction. The fee payer applying for credit (hereinafter "the applicant") shall direct the request for a credit or debits, along with a one-hundred-fifty-dollar ($150.00) nonrefundable fee to the city clerk treasurer, who shall refer the request to the public works ~~department~~ director. The ~~appropriate departments~~ public works director shall first determine the general suitability of the land, improvements, and/or construction for city purposes. The ~~city clerk treasurer~~ public works director shall then determine whether the land, improvements, and/or the facilities constructed are included with the city's adopted capital facilities plans or the ~~city clerk-treasurer~~ public works director may make the finding that such land, improvements, and/or facilities would serve the goals and objectives of the city's capital facilities plans. The city clerk-treasurer shall then make a recommendation to city council based upon the determination of the ~~appropriate departments~~ public works director. The city council shall review the recommendation and make a decision as to if the land, improvements, and/or construction would be suitable for city purposes.

C. Determination of Credit Amount. For each request for credit, once the city council has determined that the land, improvements, and/or construction would be suitable for city purposes, the city clerk-treasurer shall determine the amount of the credit. The applicant shall be entitled to a credit for a reasonable value of the land, improvements, and/or construction that is made or dedicated, based upon the actual redevelopment value of land dedicated. An appraisal shall be required for all determinations of credit that include dedication of land. An appraiser shall be designated by the city and the full cost of such appraisal shall be paid by the applicant. Upon completion of determination of suitability and credit amount by the city clerk-treasurer or public works director, a recommendation shall be forwarded to the city council for review and final determination. The final decision of the city council shall be set forth in writing and mailed to the fee payer within ten (10) days following the decision.

E. Credit Certificates/Administration. After the amount of credit has been determined by the city council, the ~~city administrator~~ city staff shall issue and provide the applicant with a document hereinafter known as the "credit certificate," setting forth the dollar amount of the credit, the date of issuance of the credit and the credit certificate, the reason for the credit, the legal description of the property donated, and/or the improvement or construction which was the basis for the credit, and the name of the applicant to which the credit certificate is registered (the "credit holder"). The applicant must sign and date the credit certificate, and return such signed credit certificate to the city clerk-treasurer for filing in the city's credit certificate registry before the credit will be awarded. The failure of the applicant to sign, date, and return the credit certificate within sixty (60) calendar days of issuance shall nullify the credit. The original credit certificate shall be kept and registered in the city's records, and the credit holder shall be provided a duplicate copy. ~~The city clerk-treasurer~~ City staff shall develop rules and regulations for the administration of the credit certificate program, including the calculation of credits, and including procedures for use of credits and application of credits to particular parcels and land which may be by recorded document, and including the ability to levy an administrative fee is an amount sufficient to cover actual costs to the city.

F. Transfer of Credit/Partial Use of Credit. Credit certificates may be transferred or sold to third parties by the credit holder; provided, that in order to transfer credits to another party, the current credit holder shall

register the transfer with the city in accordance with the procedures for registration of credit transfers developed by ~~the city clerk-treasurer~~ city staff. Only the credit holder who is identified on the city's registration system may utilize the credit. Registration with the city of credit certificates shall be conclusive evidence of credit ownership. To the extent that a credit holder wishes to utilize only a portion of the credit reflected on the credit certificate against impact fees due on a particular project, ~~the city clerk-treasurer~~ city staff shall develop procedures for reducing the amount of credit reflected on the credit certificate accordingly or issuing a new credit certificate with the remaining credit amount.

H. Expiration of Credits. Credits shall expire, and credit certificates shall become null and void, on a date ten (10) years from the date of issuance of the original credit certificate by ~~the city clerk-treasurer~~ city staff. Transfer of credits or partial use of credits which may involve reissuance of credit certificates shall in no event extend the expiration date of those credits.

15.26.180, Refunds

G. The city shall also refund to the current owner of property for which impact fees have been paid all impact fees paid, including interest earned on the impact fees, if the development activity for which the impact fees were imposed did not occur; provided, that if the city has expended or encumbered the impact fees in good faith prior to the application for a refund, the city can decline to provide the refund. If within a period of three (3) years the same or subsequent owner of the property proceeds with the same or substantially similar development activity, the owner can petition the city for an offset. The petitioner must provide proof of payment of impact fees previously paid for a development of the same or substantially similar nature on the same property or same portion thereof. ~~The city clerk-treasurer~~ city staff shall determine whether to grant an offset. Determinations of ~~the city clerk-treasurer~~ city staff shall be in writing and shall be subject to appeal to the city council upon the filing of a written appeal with ~~the city clerk-treasurer~~ city staff within ten (10) days of the issuance of ~~the city clerk-treasurer~~ city staff's decision.

15.26.190, Impact fees and administrative fees

B. The city's cost of administering the impact fee program shall be prescribed in the city's fee schedule per fund, per unit for residential permits, or ~~eight (8)~~ ten (10) percent of the total fees calculated to be due for nonresidential permits, per impact fee, and shall be paid by the applicant to the city as part of the permit application fee.

15.26.210, Review

All impact fee schedules set forth in Sections 15.26.080 and 15.26.090 shall be reviewed by the city council and/or public works director, in conjunction with the ~~annual~~ update of the capital facilities plan element of the city's comprehensive plan to adjust for inflation, or other unanticipated capital facility expenses.
(if the sections referenced here are changed to reflect the fee schedule rather than specific fees, this needs to be amended, too.)

15.28.150, Special flood hazards—General standards

D. Utilities

2. The proposed water well shall be located on high ground that is not in the floodway (WA~~S~~C 173-160-171);

Section XII, Title 16, Subdivisions

~~*16.08.080, Expiration*~~

~~A. Preliminary plats approved prior to January 1, 2008 shall be good for ten (10) years from date of approval.~~

~~B. Preliminary plats approved prior to January 1, 2008, with shoreline jurisdictions shall be good for seven (7) years from date of approval.~~

~~C. Preliminary plats approved after January 1, 2015 shall be good for five (5) years from date of approval.~~

~~D. Preliminary plat approval timeframes are based upon the most updated version of RCW 58.17.140.~~

16.08.100, Signing and filing

After all improvements are installed and all fees are paid, the short plat is to be signed by the appropriate city officials. All short subdivisions approved by the city must be filed with the Snohomish County auditor by the applicant. The applicant is to submit for recording two (2) copies of each document. One (1) document will be retained by the county and the other shall be returned to the city prior to the issuance of any building permits. The subdivider shall pay all ~~tiling~~ filing fees.

16.10.020, Preliminary plat procedures

~~E. Extension Period.~~

~~1. Preliminary plats approved prior to January 1, 2008, shall be good for ten (10) years from date of approval.~~

~~2. Preliminary plats approved prior to January 1, 2008, with shoreline jurisdictions shall be good for seven (7) years from date of approval.~~

~~3. Preliminary plats approved after January 1, 2015, shall be good for five (5) years from date of approval.~~

~~4. Preliminary plat approval timeframes are based upon the most updated version of RCW 58.17.140.~~

~~F~~ E. Upon proper application, including a nonrefundable fee, the hearing examiner shall grant one (1) extension of one (1) year upon a showing that the subdivider has attempted in good faith to submit the final plat within the required timeframe. If a portion of a preliminary plat has been accepted as a final plat, then the remainder of the preliminary plat is still valid for the remainder of its applicable timeframe.

~~G~~ F. Review Period. Preliminary plats of any proposed subdivision and dedication shall be approved, disapproved or returned to the applicant for modification or correction within ninety (90) days from the date of filing thereof unless the applicant consents to an extension of such time period; provided, that if any environmental impact statement is required as provided in RCW Section 43.21C.030, the ninety-day period shall not include the time spent preparing and circulating the environmental impact statement by the local government agency.

Section XIII, Title 17, Zoning

7.02.040, Council action on amendments

Upon receipt of ~~the planning commission's~~ staff recommendations, the city council may approve, approve with modifications, or disapprove the proposed amendment based upon the findings required by this chapter. Amendments to the comprehensive plan land use/zoning district map shall be adopted by ordinance. Amendments to the text of the comprehensive plan shall be adopted by ordinance.

17.04.040, Adoption of zoning maps

For the purpose of designating the exact boundaries of zoning districts, the city council hereby adopts the Gold Bar zoning map, 2005 edition, incorporated by this reference as if set forth in full. A copy of the Gold Bar zoning map, shall be kept in the city ~~clerk-treasurer's office~~ hall for inspection by the public.

17.04.090, Architectural design requirements

D. All new and/or expanded commercial structures are encouraged to incorporate the city's logging and mining theme into its design. ~~Copies of design examples are available from the public works department.~~

17.08, Definitions
This section shall have each individual chapter number removed and all definitions listed under 17.08 only. Reference 17.60.020 for formatting example.

~~*17.08.095*~~*, Animal, small*
~~Rabbits, mink, ermine, and chinchilla.~~ Animals under twenty (20) pounds in weight.

~~*17.08.242*~~*, Bed and breakfast*

B. That the room is not rented to more than two (2) adult persons at one time;

~~*17.08.440, Commission*~~
~~"Commission" means the city planning commission.~~

17.72.040, Conditional use permits

Upon application therefor, ~~the planning commission~~ Hearing Examiner may grant conditional use permits for such use and under such circumstances as set forth in this title.

17.60.020, Definitions

"Ground cover" means ~~a plant listed as ground cover in the most recent edition of Sunset Western Garden Book.~~ any low-growing plants that spread to form a dense mat over the soil and that act as a living mulch to suppress weeds, retain soil moisture, prevent soil erosion.

"Mulch" means a protective layer of organic or inorganic material ~~any material defined as "mulch" to be~~ used for moisture retention, temperature control, erosion prevention, weed control, or other similar uses. ~~any other purposes specified in the most recent edition of Sunset Western Garden Book.~~

"Shrub" means a ~~plant listed as a shrub in the most recent edition of Sunset Western Garden Book.~~ Short, multi-stemmed woody plant, also commonly known as a bush. A shrub differs from a tree because it lacks a single main trunk and is smaller in height. Common ~~H~~heights of shrubs ~~is size in five (5) years: small shrubs are those less than three and one-half (3½) feet tall; medium shrubs are those between three and~~

~~one-half (3½) to six (6) feet tall; large shrubs are those greater than six (6) feet~~ may vary from less than three feet to over six feet.

"Tree" means a ~~plant listed as a tree in the most recent edition of Sunset Western Garden Book and Hortus Third.~~ tall woody perennial plant with a single, elongated main stem or trunk, branches, and leaves.

17.60.060, Maintenance requirements

A. Long-term Maintenance. All landscaping required by this chapter shall be continually maintained in a healthy growing conditions by the owners of the landscaping. The planting area shall be provided for and routinely maintained in the following manner:

> 4. All landscape areas shall have underground irrigation systems installed unless exempted in Section 17.60.030(B) If the proposal is exempt from automatic irrigation installation, at least one (1) water outlet shall be located within one hundred fifty (150) feet of all plant material to be maintained. Installed irrigation systems and/or water outlets will be required to be a metered service. Payment of charges incurred for this water connection will be the responsibility of the property owner. In the case of landscaping installed within public right-of-ways, this requirement may be waived by the public works director.

B. Maintenance Guarantee. The property owner shall guarantee all landscaping and irrigation improvements for a period of one (1) year from the date of completion and final acceptance of landscaping and irrigation requirements and shall correct any and all defects or deficiencies arising during that period of limitation, as a result of the acts or omissions of the property owner, its agents, or employees. The maintenance guaranty shall be backed by a bond or cash deposit in the amount of twenty-five (25) percent of the cost of improvements. The city shall provide written notice of the defect or deficiency. In any instance where the property owner fails to take action within the specified time, or when immediate action is required to protect the public health, safety and/or welfare, the city may cause the work to be performed and call on the surety for reimbursement. The maintenance security shall be submitted prior to final acceptance of the landscaping and irrigation improvements by the city.
(do we enforce any of the highlighted parts of this section?)

17.60.070, Landscaping plan requirements

B. Final Plan.

> 4. Irrigation Details. An as-built irrigation drawing to scale shall be submitted prior to the issuance of the certificate of occupancy, or release of the performance security. The method of irrigation, automatic or manual, for all landscaped areas shall be shown on the plans. In addition, the location of any automatic sprinkler heads or manual water source, shall be shown on the final plans. If drought-tolerant plants are used exclusively throughout a project, automatic irrigation may be waived. Drought-tolerant plants shall be manually irrigated for two growing seasons after installation until plants are established. The automatic irrigation requirements may also be waived for wetland plantings in areas classified as wetlands. See Table 17.60A, following, for acceptable plantings in these two categories.
> ~~* Source: Sunset Western Garden Book~~

(do we need this table?)

17.64.025, Special events

L. [Hours of Operation.] Hours of operation of the park shall be eight (8) a.m. until ten (10) p.m.. ~~twelve (12) a.m., midnight.~~

17.68.090, Amortization of nonconforming kennels.

Any kennel that qualifies as a nonconforming use due to an excess number of dogs shall be brought into compliance with applicable codes and regulations within ~~five (5) years~~ six months of the date it became nonconforming, whether by annexation or by the subsequent enactment of new regulations. See also GBMC 6.02.003(B)

Section XIV, Environment

18.04.050, Chapter 197-11 WAC adopted by reference.

Chapter 197-11 of the Washington Administrative Code (WAC), as now or hereafter amended, is adopted by reference and incorporated herein as though set forth in full. The requirements of Chapter 197-11 WAC shall supersede any conflicting city regulation pertaining to environmental review. Any incorporation by reference of a provision of Chapter 197-11 in the Gold Bar Municipal Code shall be construed as incorporating the most current form of that provision, as adopted by this section. ~~City staff shall maintain three (3) copies of Chapter 197-11 WAC for public use and examination.~~ City staff will provide copies upon request.

18.06.010, Shoreline Master Program adopted.

The city of Gold Bar Shoreline Master Program, as adopted by Gold Bar ~~Resolution 13-03~~ Ordinance #728 in 2019 shall serve as the Shoreline Master Program for the city of Gold Bar, as required by RCW, 90.58.080.

Section VIII, 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 IX, Effective Date

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

Passed by the Council for the City of Gold Bar on this _____ day of _____, 2026.

Attest: _____, Steve Yarbrough, Mayor

Attest: _____, Lisa Stowe, Clerk/Treasurer