

ORDINANCE NO. 2007-50

CONFORM AS TO DATES & SIGNATURES

- (X) Filed with the City Clerk: 10/11/2007
(X) Passed by the City Council: 10/10/2007
(X) Signature of Mayor
(X) Signature of City Clerk
(X) Publication: 10/17/2007
(X) Effective: 10/22/2007

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- () Bookshelf Contracts Copy
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Date _____

10-11-2007

ORDINANCE NO. 2007-50

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, RELATING TO LATECOMER AGREEMENTS FOR STREET AND UTILITY IMPROVEMENTS; AMENDING CHAPTER 15.30 OF THE POULSBO MUNICIPAL CODE TO EXTEND THE PERIOD FOR REIMBURSEMENT TO 15 YEARS AND MAKING OTHER CHANGES CONSISTENT WITH RECENT LEGISLATION; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, chapter 15.30 of the Poulsbo Municipal Code sets out the City's requirements in connection with latecomer reimbursement agreements authorized under chapters 35.72 and 35.91 RCW; and

WHEREAS, section 15.30.050 of the Poulsbo Municipal Code provides that no latecomer agreement shall provide for reimbursement for a period of longer than ten years from the date of final acceptance of the improvement by the City; and

WHEREAS, the City Council desires to extend the period of time for reimbursement under a latecomer agreement as authorized under chapters 35.72 and 35.91 RCW; and

WHEREAS, in 2006 the Washington state legislature amended chapters 35.72 and 35.91 RCW to set out requirements for a property owners to provide notice of its contact information and further authorizes municipalities to retain reimbursements in the event the property owner fails to comply with the notification requirements; and

WHEREAS, a minor technical change is required to update a revised citation to Washington state law; now, therefore,

THE CITY COUNCIL OF THE CITY OF POULSBO, WASHINGTON

DO ORDAIN AS FOLLOWS:

Section 1. **Amendment of Section 15.30.050.** Section 15.30.050 of the Poulsbo Municipal Code entitled “Duration of Agreement” is hereby amended to read as follows:

No latecomer agreement shall provide for reimbursement for a period of longer than fifteen years from the date of final acceptance of the street project or water or sewer facility by the city.

Section 2. **Amendment of Section 15.30.130.** Section 15.30.130 of the Poulsbo Municipal Code entitled “Disposition of undeliverable reimbursement funds” is hereby amended to read as follows:

Every two years from the date a latecomer agreement is executed a property owner entitled to reimbursement under the latecomer agreement shall provide the city with information regarding the current contract name, address, and telephone number of the person, company, or partnership that originally entered into the contract. If the property owner fails to comply with the notification requirements of this section within sixty (60) days of the specified time, then the city may collect any reimbursement funds owed to the property owner under the contract. Such funds must be deposited in the capital fund of the city.

Section 3. **Technical Correction.** Section 15.30.020.C. is hereby amended to read as follows:

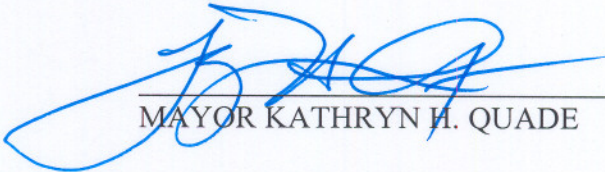
C. “Street project” shall have the meaning specified in RCW 35.72.020(1) as it now reads, or as hereafter amended.

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

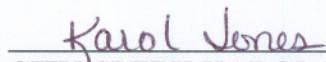
jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 5. **Effective Date.** This ordinance shall take effect and be in full force five (5) days after publication of the attached summary, which is hereby approved.

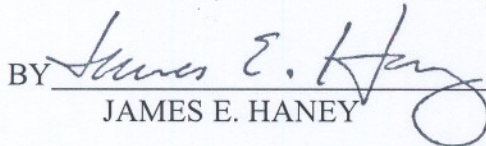
APPROVED:


MAYOR KATHRYN H. QUADE

ATTEST/AUTHENTICATED:


CITY CLERK KAROL JONES, CMC

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 
JAMES E. HANEY

FILED WITH THE CITY CLERK: 10/11/2007
PASSED BY THE CITY COUNCIL: 10/10/2007
PUBLISHED: 10/20/2007
EFFECTIVE DATE: 10/25/2007
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SUMMARY OF ORDINANCE NO. 2007-50

of the City of Poulsbo, Washington

On the 11th day of October, 2007, the City Council of the City of Poulsbo, passed Ordinance No. 2007-50. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, RELATING TO LATECOMER AGREEMENTS FOR STREET AND UTILITY IMPROVEMENTS; AMENDING CHAPTER 15.30 OF THE POULSBO MUNICIPAL CODE TO EXTEND THE PERIOD FOR REIMBURSEMENT TO 15 YEARS AND MAKING OTHER CHANGES CONSISTENT WITH RECENT LEGISLATION; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

DATED this 11th day of October, 2007.

Karol Jones
CITY CLERK KAROL JONES, CMC