

SNOHOMISH COUNTY COUNCIL SNOHOMISH COUNTY, WASHINGTON

ORDINANCE NO. 07-

RELATING TO THE REGULATION OF CONSTRUCTION; REPEALING CHAPTERS 30.52B, 30.52E AND 30.54B SCC; ADOPTING THE 2006 EDITIONS OF THE INTERNATIONAL MECHANICAL CODE INCLUDING THE INTERNATIONAL FUEL GAS CODE, THE UNIFORM PLUMBING CODE, THE STATE VENTILATION AND INDOOR AIR QUALITY CODE, AND THE STATE ENERGY CODE AS REVISED; AND AMENDING AND ADDING SECTIONS IN TITLE 30 SCC

WHEREAS, the merger of the International Conference of Building Officials (ICBO) with other code writing organizations led to the formation of the International Code Council, which led to the creation of a group of international codes that replaced the Uniform Building Codes in the State of Washington in 2003; and

WHEREAS, the international and state building codes are amended and comprehensively updated on a three year cycle; and

WHEREAS, the Washington State Legislature adopted the most current construction codes as the State Building Code pursuant to chapter 19.27 RCW on November 17, 2006; and

WHEREAS, the State Building Code became effective July 1, 2007; and

WHEREAS, the State Building Code Act adopts the International Building, Residential and Mechanical Codes, the Uniform Plumbing Code, the International Fuel Gas Code, the Liquefied Petroleum Gas Code, the Washington State Energy Code and Washington State Ventilation and Indoor Air Quality Code. These codes contain new construction and performance standards, methods, technologies, and products; and

WHEREAS, chapter 19.27 RCW mandates that the State Building Code be administered and enforced by counties and cities, and grants counties and cities limited authority to amend the code as it applies within their jurisdictions; and

WHEREAS, the Snohomish County Council and the Snohomish County Executive have identified the regulation of development to ensure safe and quality construction as a high priority and have delegated the responsibility for administering the State Building Code to Snohomish County Planning and Development Services (PDS); and

WHEREAS, PDS endeavors to administer and enforce the State Building Code in accordance with chapter 19.27 RCW in order to provide for statewide consistency for

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 the construction industry and the citizens of Snohomish County; and

WHEREAS, compliance with the State Building Code Act requires adoption of the 2006 edition of the International Mechanical Code. The International Mechanical Code states that the installation of fuel gas distribution piping and equipment, fuel gasfired appliances and fuel gas-fired appliance venting systems shall be regulated by the International Fuel Gas Code; and

WHEREAS, RCW 19.27.031(2) specifies that the standards for liquefied petroleum gas installations shall be National Fire Protection Association 58 (Liquefied Petroleum Gas Code) and ANSI Z223.1/NFPA 54 (National Fuel Gas Code); and

WHEREAS, the Washington State Energy Code is part of the State Building Code pursuant to RCW 19.27A.020; and

WHEREAS, the Washington State Ventilation and Indoor Air Quality Code is part of the State Building Code pursuant to RCW 19.27A.020; and

WHEREAS, compliance with the State Building Code Act requires adoption of the 2006 edition of the Uniform Plumbing Code, as adopted and amended by the state including the adoption of Appendices A, B and I; and

WHEREAS, chapter 30.53B, Uniform Code for the Abatement of Dangerous Buildings is retained in subtitle 30.5 SCC and an amendment to SCC 30.53B.025 is needed to provide consistency with the appeals provisions of the construction codes in subtitle 30.5 SCC; and

WHEREAS, the Uniform Sign Code in chapter 30.54B SCC is not necessary because adequate sign regulations are provided in chapter 30.27 SCC; and

WHEREAS, the 2006 edition of the International Building Code, International Residential Code and International Fire Code and a new chapter 30.52G SCC relating to automatic sprinkler systems are adopted as amended by the State Building Code Council and Snohomish County in separate ordinances for compliance with the State Building Code Act; and

WHEREAS, proposed local amendments are limited to retain consistency with the international codes and regional applications by MyBuildingPermit.com communities; and

WHEREAS, the Snohomish County Council Planning Committee discussed adopting the State Building Code on July 10, 2007 and August 14, 2007; and

WHEREAS, the Snohomish County Council conducted a public hearing on September 5, 2007, to consider the entire record and hear public testimony on Ordinance No.

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07-086 adopting the 2006 editions of the International Mechanical Code including the International Fuel Gas Code that includes the National Fire Protection Association 58 (Liquefied Petroleum Gas Code) and ANSI Z223.1/NFPA 54 (National Fuel Gas Code) Gas Code, the Uniform Plumbing Code, the State Ventilation and Indoor Air Quality Code, and the State Energy Code as revised and amended and miscellaneous amendments to title 30 SCC.

NOW, THEREFORE, BE IT ORDAINED:

Section 1. The foregoing recitals are incorporated by this reference as though set forth in full.

Section 2. The Snohomish County Council makes the following findings of fact:

- A. RCW 19.27.040 allows the governing body of each county and city to amend the State Building Code as it applies within the jurisdiction of the county or city. The minimum performance standards of the codes and the objectives enumerated in RCW 19.27.020 shall not be diminished by any county amendments.
- B. The 2006 editions of the construction codes referenced in the recitals are adopted to comply with the State Building Code. Additional local amendments are made for consistency with the administrative provisions of other subtitle 30.5 SCC construction codes. These amendments are related to administrative processes, PDS's organizational structure, appeals, fees, fee refunds and code enforcement. Appropriate cross references to other Unified Development Code chapters and code sections are also included.
- C. The adoption of the 2006 International Mechanical Code (IMC) as amended by the state will provide a modern up-to-date mechanical code addressing the design and installation of mechanical systems emphasizing performance, plumbing codes designed to provide consumers with safe and sanitary plumbing systems, minimum standards for mechanical ventilations systems, provisions that promote efficient use and conservation of energy and minimum regulations for fuel gas systems and gas fired appliances.
- D. The adoption of the IMC includes the adoption of the International Fuel Gas Code and the Storage and Handling of Liquefied Petroleum Gas (NFPA 58), also called the Liquefied Petroleum Gas Code. The IMC addresses the design and installation of mechanical systems emphasizing performance standards.
- E. The 2006 Uniform Plumbing Code provides consumers with safe and sanitary plumbing systems while allowing for innovation and new technologies.

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6	A.	The council concludes that this ordinance is required to implement the State
7		Building Code Act and not the Growth Management Act and therefore, this
8		ordinance does not adopt development regulations under SCC 30.10.080.
9		Pursuant to SCC 30.73.040(2)(c), planning commission review is not
10		required.
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12	В.	The council concludes that adopting these amendments will not result in a
13		less restrictive performance standards or objectives than those in the State
14 15		Building Code.
15 16	C	The council concludes that the 2006 editions of the codes adopted by this
17	C.	ordinance provide needed flexibility to developers while safeguarding the
18		public health, safety and welfare.
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20	D.	The council concludes that the proposed ordinance is in the best interest of
21		Snohomish County. It will protect the life, safety and welfare of Snohomish
22		County residents.
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24	E.	The construction codes are categorically exempt from the State
25		Environmental Policy Act under WAC 197-11-800(20).
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27		ection 4. Snohomish County Code Chapter 30.52B, adopted by Ordinance
28	No. 02-06	64 on December 9, 2002, is repealed.
29	°-	ection 5. A new chapter is added to Subtitle 30.5 of the Snohomish County
30 31	Code to r	· · · · · · · · · · · · · · · · · · ·
32	Code to 1	eau.
33		Chapter 30.52B
34		MECHANICAL CODE
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36	PART 00	0 GENERAL
37	00 500 0	
38	30.52B.0	10 International Mechanical Code (IMC) 2006 edition - adopted.
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AMENDMENTS TO THE INTERNATIONAL MECHANICAL CODE

30.52B.202 Department of Mechanical Inspection – amended (IMC 103 and 103.1).

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F. The international construction codes were designed to allow flexibility,

Section 3. The Snohomish County Council makes the following conclusions:

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PART 200

30.52B.200 Title – amended (IMC 101.1).

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- 1 30.52B.204 Appointment amended (IMC 103.2).
- 2 30.52B.206 Expiration amended (IMC 106.4.3).
- 3 30.52B.208 Extensions amended (IMC 106.4.4).
- 4 30.52B.210 Fee Schedule and fee refunds amended (IMC 106.4.2 and 106.5.3).
- 5 30.52B.212 Violation penalties amended (IMC 108.4).
- 6 30.52B.214 Stop work orders amended (IMC 108.5).
- 7 30.52B.216 Means of Appeal amended (IMC 109).

8 PART 000 - GENERAL

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- 9 30.52B.010 International Mechanical Code (IMC) 2006 edition adopted.
- 10 The 2006 edition of the International Mechanical Code (IMC), published by the
- 11 International Code Council, and amended by the Washington State Building Code
- 12 Council and included in chapter 19.27 RCW, and as otherwise expressly amended by
- this chapter is adopted and is incorporated and made a part of this chapter by
- reference. This adoption includes adoption of the 2006 edition of the International Fuel
- 15 Gas Code, the 2006 edition of the National Fire Protection Association (NFPA) 54
- 16 (National Fuel Gas Code) and the 2004 edition of the NFPA 58 (Liquefied Petroleum
- Gas Code), all as amended by the Washington State Building Code Council and
- Snohomish County, which are incorporated and made a part of this chapter by
- 19 reference.
- 20 Where a conflict exists between the administrative provisions of the International Fuel
- 21 Gas Code and the mechanical code, the provisions of the mechanical code shall apply.
- 22 PART 100 RESERVED
- 23 PART 200 AMENDMENTS TO THE INTERNATIONAL MECHANICAL CODE
- 24 30.52B.200 Title –amended (IMC 101.1).
- 25 Section 101.1 of the IMC is amended to read:
- 26 These regulations shall be known as the Mechanical Code of Snohomish County and
- shall be referred to as the "mechanical code."
- 28 30.52B.202 Department of Mechanical Inspection-amended (IMC 103 and 103.1).
- Sections 103 and 103.1 of the IMC are amended to read:
- 30 103 Building official.

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- 103.1 General. The building code official is the person designated by the director and
- charged with application, enforcement and interpretation of the construction codes as
- set forth in subtitle 30.5 SCC, except that the fire marshal is charged with the
- 34 application and interpretation of the fire code, chapter 30.53A SCC, and related

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standards for water mains and fire hydrants.

30.52B.204 Appointment – amended (IMC 103.2).

Section 103.2 of the IMC is amended to read:

The building official shall be appointed by the director pursuant to chapter 2.01 SCC.

30.52B.206 Expiration - amended (IMC 106.4.3).

Section 106.4.3 of the IMC is amended to read:

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An application for a permit for any proposed work shall be deemed to have been abandoned 18 months after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one extension of time for an additional period not to exceed 18 months. The extension shall be requested in writing and justifiable cause demonstrated.

No work governed by the provisions of the mechanical code shall be recommenced on any building or structure for which the permit had expired and was not renewed within the time limitation as prescribed by the mechanical code; or for work for which a renewed permit has expired except by obtaining a new permit from the building official subject to the procedures and provisions of the mechanical code and the county for such permit issuance.

23 30.52B.208 Extensions – amended (IMC 106.4.4).

Section 106.4.4 of the IMC is amended to read:

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Extension. Every permit issued shall become invalid 18 months after its issuance. The building official is authorized to grant, in writing, one extension of time, for a period of not more than 18 months. The extension shall be requested in writing and justifiable cause demonstrated.

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30.52B.210 Fee Schedule and fee refunds - amended (IMC 106.5.2 and 106.5.3).

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Sections 106.5.2 and 106.5.3 of the IMC are deleted in their entirety and are replaced with the following language:

106.5.2 Fee Schedule and Fee refunds. The fees for mechanical work are provided in chapter 30.86 SCC. Mechanical fees are provided in SCC 30.86.410. The director is authorized to establish a refund policy.

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30.52B.212 Violation penalties – amended (IMC 108.4).

Section 108.4 of the IMC is deleted in its entirety and is replaced with the following language:

Any person violating any provision of this chapter shall be subject to enforcement action pursuant to chapter 30.85 SCC.

30.52B.214 Stop work orders – amended (IMC 108.5)

Section 108.5 of the IMC is deleted in its entirety and is replaced with the following language: 12

Stop work orders. Upon notice from the building code official that mechanical work is being done contrary to the provisions of the mechanical code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the building official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine pursuant to chapter 30.85 SCC.

30.52B.216 Means of Appeal – amended (IMC 109).

Section 109 is deleted in its entirety and is replaced with the following language:

Orders, decisions or determinations made by the building official relative to the application and interpretation of the construction codes shall be final pursuant to SCC 30.50.040. Any appeal shall be a judicial appeal filed in superior court pursuant to the Land Use Petition Act (chapter 36.70C RCW).

Section 6. Snohomish County Code Section 30.52C.010, adopted by Ordinance No. 02-064 on December 9, 2002, is amended to read:

30.52C.010 Washington State Ventilation and Indoor Air Quality Code 2006 edition - adopted.

- The 2006 edition of the Washington State Ventilation and Indoor Air Quality Code, 36
- ((Second Edition,)) chapter 51-13 WAC, is incorporated and made a part of this chapter 37
- by reference and is adopted as the Ventilation and Indoor Air Quality Code of 38
- Snohomish County. ((and one copy shall be placed on file with the Sno-Isle Regional 39
- Library System.)) 40

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1 2		on 7. Snohomish County Code Section 30.52D.010, adopted by lo. 02-064 on December 9, 2002, is amended to read.				
3	30.52D.010 Washington State Energy Code 2006 edition - adopted.					
4	The <u>2006</u> ed	lition of the Washington State Energy Code, chapter 51-11 WAC, is				
5	incorporated	and made a part of this chapter by reference and is adopted as the Energy				
6 7	Code of Snohomish County. ((and one copy shall be placed on file with the Sno Isle Regional Library System.))					
8 9	Section County Code	on 8. A new section is added to Chapter 30.52D of the Snohomish e to read:				
10	30.52D.020 Violations and penalties.					
11	Any person violating a provision of this chapter shall be subject to enforcement action					
12	pursuant to chapter 30.85 SCC.					
12	Soction	on 0 Snahomich County Code Chapter 30 525, adented by Ordinance				
13 14	Section 9. Snohomish County Code Chapter 30.52E, adopted by Ordinance No. 02-064 on December 9, 2002, is repealed.					
15	140. 02-004	on December 3, 2002, is repeated.				
16	Section 10. A new Chapter 30.52E is added to Subtitle 30.5 of the Snohomish					
17	County Code	•				
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19		Chapter 30.52E				
20		Plumbing Code				
21	PART 000	GENERAL				
22 23	PARTUU	GENERAL				
24	30.52F.010	Uniform Plumbing Code (UPC) 2006 edition - adopted.				
25	30.52E.010 Officially Flumbing Code (OFC) 2000 edition - adopted.					
26	30.52E.030 Title.					
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28	PART 100	ADMINISRATION				
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30	30.52E.100	Appeals				
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32	PART 200	AMENDMENTS TO THE UNIFORM PLUMBING CODE				
33	20 525 202	Pormit Evernations amended (HDC 402.4.2)				
34		Permit Exemptions – amended (UPC 103.1.2). Section 103.4.1 Permit Fees – amended.				
35 36		Section 103.4.1 Permit Pees – amended. Section 103.4.2 Plan Review Fees – amended.				
30 37		Section 103.3.4 Permit expiration – amended.				
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PART 000 GENERAL

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- 3 30.52E.010 Uniform Plumbing Code (UPC) 2006 edition adopted.
- 4 The 2006 edition of the Uniform Plumbing Code (UPC) published by the International
- 5 Association of Plumbing and Mechanical Officials, as amended by the Washington
- 6 State Building Code Council and included in chapter 19.27 RCW, except as expressly
- 7 amended by the county, is incorporated herein and made a part of this chapter by
- 8 reference and is adopted as the Plumbing Code of Snohomish County.
- 9 30.52E.020 Appendices adopted.
- Appendices A, B and I of the 2006 edition of the UPC are adopted and are incorporated and made a part of this chapter by reference.
- 12 **30.52E.030 Title.**
- 13 These provisions shall be known as the Plumbing Code of Snohomish County and shall
- be cited as such and will be referred to as "the plumbing code."
 - PART 100 ADMINISTRATION
 - 30.52E.100 Appeals.
 - Orders, decisions or determinations made by the building official relative to the application and interpretation of the plumbing code shall be final pursuant to SCC 30.50.040. Any appeal shall be a judicial appeal filed in superior court pursuant to the
- Land Use Petition Act (chapter 36.70C RCW).
 - PART 200 AMENDMENTS TO THE UNIFORM PLUMBING CODE
 - 30.52E.202 Permit exemptions amended (UPC 103.1.2).
 - Section 103.1.2 of the UPC is deleted in its entirety and replaced with the following language:
 - (1) A permit will not be required for the following:
 - (a) The stopping of leaks in drains or soil, waste or vent pipes. If any concealed trap, drainpipe or soil, waste or vent pipe is defective and it is necessary to remove and replace the same with new material, the removal and replacement is new work and a permit and inspection are required as provided in this chapter; and
 - (b) The clearing of stoppages or repairing of leaks in pipes, valves or fixtures, or the removal and reinstallation of fixtures and appliances, provided that the fixtures and appliances are not relocated or the fuel or energy source is not altered, or both.

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(2) Exemption from the permit requirements of this chapter shall not be deemed to grant authorization for any work to be done in violation of the provisions of this chapter or any other applicable law or regulation.

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30.52E.204 Permit fees - amended (UPC 103.4.1).

Section 103.4.1 of the UPC is deleted in its entirety and replaced with the following
 language:

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- 9 The fees for plumbing work permits are provided in SCC 30.86.420.
- 10 30.52E.206 Plan review fees amended (UPC 103.4.2).

The last paragraph of section 103.4.2 of the UPC is deleted in its entirety and replaced with the following language:

When plans are incomplete or changed so as to require additional review, the fees prescribed in SCC 30.86.400(6) shall apply.

30.52E.208 Permit expiration—amended (UPC 103.3.4).

Section 103.3.4 of the UPC is deleted in its entirety and replaced with the following language:

An application for a permit for any proposed work shall be deemed to have been abandoned 18 months after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one extension of time for an additional period not to exceed 18 months. The extension shall be requested in writing and justifiable cause demonstrated.

No work governed by the provisions of the plumbing code shall commence on any building or structure for which the permit had expired, and was not renewed within the time limitation as prescribed by code, or for work for which a renewed permit has expired, except by obtaining a new permit from the building official.

Section 11. Snohomish County Code Chapter 30.54B, adopted by Ordinance No. 02-064 on December 9, 2002, is repealed.

Section 12. <u>Severability and Savings.</u> If any section, sentence, clause or phrase of this ordinance shall 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. Provided, however, that if any section, sentence, clause, or phrase of this ordinance is held to be invalid by a court of competent jurisdiction, then the section, sentence, clause, or phrase in effect prior to the effective date of this ordinance shall be in full

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12		Marie Timber	
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18	ATTEST:		
19	Sheila M Calleta		
20	Asst. Clerk of the Council		
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28		MARK SOINE	
29	ATTEST:	Deputy Executive	
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34	Approved as to form:		
35	Jamel Kingli 7/26/07		
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37	Deputy Prosecuting Attorney		
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