



CO00043471

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

ORDINANCE NO. 12-020

RELATING TO THE AFFORDABLE HOUSING TRUST FUND;
AMENDING SCC 4.67.020, SCC 4.67.030, SCC 4.67.040, AND SCC 4.67.050

WHEREAS, by Chapter 294, § 2, Laws of 2002 (codified as RCW 36.22.178), the Washington state legislature provided for an additional \$10.00 surcharge on the recording of certain documents with county auditors, approximately 57% of which surcharge was directed to counties to be used to support very low-income housing projects or units within such housing projects affordable to persons with incomes at or below fifty percent of the area median income; and

WHEREAS, by Ordinance No. 02-065, adopted November 20, 2002, and effective January 1, 2003, the Snohomish County Council created an affordable housing trust fund and enacted Chapter 4.67 SCC; and

WHEREAS, the Washington legislature subsequently amended RCW 36.22.178 by Chapter 484, § 18, Laws of 2005, by Chapter 427, § 1, Laws of 2007, and by Chapter 110, § 1, Laws of 2011; and

WHEREAS, the Human Services Department recommends that the County Council make amendments to various sections of Chapter 4.67 SCC in order to conform them to current state law;

NOW, THEREFORE, BE IT ORDAINED:

Section 1. Snohomish County Code Section 4.67.020, adopted by Ordinance No. 02-065 on November 20, 2002, is amended to read:

4.67.020 Purpose of Fund.

As required by ~~((Laws of 2002, chapter 294))~~ RCW 36.22.178 as amended, the ~~((A))~~affordable ~~((H))~~housing ~~((T))~~trust ~~((F))~~fund is adopted to provide additional funding resources for ~~((building operation and maintenance activities for))~~ eligible housing ~~((projects))~~ activities as described in SCC 4.67.040 that serve ~~((affordable to))~~ very low-income ~~((people, as well as to assist in development and preservation of affordable low-income housing))~~ households with income at or below fifty percent of the area median income.

Section 2. Snohomish County Code Section 4.67.030, adopted by Ordinance No. 02-065 on November 20, 2002, is amended to read:

1 **4.67.030 Source of Resources.**

2 The state of Washington(~~(, in its Low Income Housing Projects act of 2002 (Laws~~
3 ~~of 2002, chapter 294))~~) has by RCW 36.22.178 directed the county auditor to collect a
4 surcharge of \$10.00 on all instruments, except assignments or substitutions of
5 previously recorded deeds of trust, recorded with the county auditor. Up to ~~((Five))~~ five
6 percent of the funds collected ~~((shall))~~ may be retained by the county and applied solely
7 to ~~((applied to the county auditor's O_perations and Maintenance Fund to administer))~~
8 the collection, administration and local distribution of these funds. In accordance with
9 ~~((the Laws of 2002, chapter 294))~~ RCW 36.22.178, forty percent of the remaining funds
10 shall be transmitted to the state treasurer. ~~((The))~~ All remaining ~~((sixty percent of the))~~
11 revenue generated by this surcharge ~~((will))~~ shall be placed into the ~~((A))~~affordable
12 ~~((H))~~housing ~~((T))~~trust ~~((F))~~fund created by this chapter.
13

14 Section 3. Snohomish County Code Section 4.67.040, adopted by Ordinance
15 No. 02-065 on November 20, 2002, is amended to read:
16

17 **4.67.040 Operation of Fund.**

18 In accordance with ~~((the Laws of 2002, chapter 294))~~ RCW 36.22.178, the
19 ~~((A))~~affordable ~~((H))~~housing ~~((T))~~trust ~~((F))~~fund shall be used ~~((to support very low-~~
20 ~~income housing projects or units within such))~~ for eligible housing ~~((projects))~~ activities
21 that serve very low-income households with incomes at or below fifty percent of the
22 area median income. A priority must be given to eligible housing activities that serve
23 extremely low-income households with incomes at or below thirty percent of the area
24 median income. The fund shall be allocated to eligible housing activities in the county
25 and the cities and towns within the county according to an interlocal agreement between
26 the county and cities~~((,))~~ consistent with countywide and local housing needs and
27 policies. ~~((The funds shall not be used for construction of new housing if at any time the~~
28 ~~vacancy rate for available low income housing within the county rises above ten~~
29 ~~percent.))~~ As set forth ~~((at Laws of 2002, chapter 294, section 2))~~ in RCW 36.22.178(2),
30 ~~((permissible))~~ eligible uses of the fund are limited to:

31 (a) Acquisition, construction, or rehabilitation of housing projects or units within
32 housing projects that are affordable to very low-income ~~((persons))~~ households with
33 incomes at or below fifty percent of the area median income, including units for
34 homeownership, rental units, seasonal and permanent farm worker housing units, units
35 reserved for victims of human trafficking and their families, and single room occupancy
36 units;

37 (b) Supporting building operation and maintenance costs of housing projects or
38 units within housing projects ~~((built with))~~ eligible to receive housing trust funds, that are
39 affordable to very low-income ~~((persons))~~ households with incomes at or below fifty
40 percent of the area median income, and that require a supplement to rent income to
41 cover ongoing operating expenses;

42 (c) Rental assistance vouchers for housing ~~((projects or))~~ units ~~((within housing~~
43 ~~projects))~~ that are affordable to very low-income ~~((persons))~~ households with incomes at
44 or below fifty percent of the area median income, including rental housing vouchers for
45 victims of human trafficking and their families, to be administered by a local public

1 housing authority or other local organization that has an existing rental assistance
2 voucher program, consistent with or similar to the United States department of housing
3 and urban development's section 8 rental assistance voucher program standards; and

4 (d) Operating costs for emergency shelters and licensed overnight youth
5 shelters.
6

7 Section 4. Snohomish County Code Section 4.67.050, adopted by Ordinance
8 No. 02-065 on November 20, 2002, is amended to read:
9

10 **4.67.050 Fund Manager.**

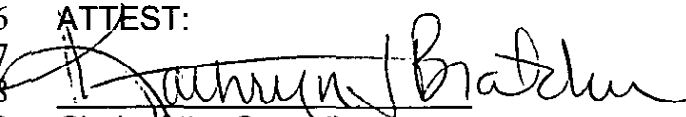
11 The ~~((county executive shall designate a))~~ director of human services or his or
12 her designee shall administer the affordable housing trust fund within the financial
13 management system provided for in chapter 2.100 SCC, and shall serve as the fund
14 manager((, whose name and title shall appear on the master list of fund managers
15 maintained in the department of budget and finance)). The fund manager shall have the
16 duties set out in SCC 4.05.050.
17

18 PASSED this 9th day of MAY, 2012.

19
20 SNOHOMISH COUNTY COUNCIL
21 Snohomish County, Washington
22

23
24 _____
25 Chairperson

26 ATTEST:

27 
28 Clerk of the Council
29

30
31 APPROVED

32
33 EMERGENCY

34
35 VETOED
36

37 DATE: 5/10/12

38
39 
40 County Executive

41
42 ATTEST:
43
44
45

D-6

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

Approved as to form only:

Janet S. England 2/27/12

Deputy Prosecuting Attorney