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MAY 7 1981

SNOHOMISH COUNTY COUNCIL

ORDINANCE 81-037

AMENDING SNOHOMISH COUNTY CODE, TITLE 18, TITLE ~~19~~<sup>WT</sup>,  
TITLE 20, TITLE 20A, TITLE 23, and TITLE 26A~~GH~~<sup>GH</sup>,  
PERTAINING TO FEES INVOLVING SUBSECTIONS 18.88.~~B40~~<sup>B40</sup>,  
18.92.140, 18.96.050, 19.14.010, 20.20.020, 20A.20.030,  
23.16.400, 26A.08.010

T.C. \_\_\_\_\_  
J.D. \_\_\_\_\_  
D.J. \_\_\_\_\_

BE IT ORDAINED:

Section 1. Snohomish County Code Subsection 18.88.140 adopted by ordinance December 29, 1980, is amended as follows:

18.88.140 Filing fees. ~~A filing fee of seventy-five dollars (\$75.00) shall be paid upon the filing of an application for a variance or special use permit. A fee of one hundred dollars (\$100.00) shall be paid upon the filing of an application for a conditional use permit, except that the fee for conditional use permit applications for excavation and processing of minerals, sanitary landfills and landfill operations shall be two hundred dollars (\$200.00). A filing fee of twenty-five dollars (\$25.00) shall be paid upon the filing of an administrative appeal. No fees shall be charged to any department of the county. The filing fees for requests/actions covered by this chapter shall be as follows:~~

A. Variance	\$75.00	\$175.00
Special use permit	\$75.00	\$175.00
B. Conditional use permit	\$100.00	\$225.00
1) Landfill	\$200.00	\$400.00
2) Mineral extraction/processing	\$200.00	\$400.00
3) Sanitary landfill	\$200.00	\$400.00
C. Administrative Appeals	\$-25.00	\$ 50.00

Section 2. Snohomish County Code, Title 18, subsection 18.92.140 last amended by resolution July 31, 1978, is amended as follows:

18.92.140 Rezoning fees. All applications to change the zoning of property shall be accompanied by a fee to cover the costs of processing which shall be deposited in the treasury of Snohomish County, the amount of the fee to be determined by the following table. The fee shall be computed on the basis that the highest intensity use requested is deemed to apply to the gross acreage contained within the entire application.

TABLE OF REZONING FEES

Zoning Classification	Acreage Involved					
	Request	0-2.9	3-9.9	10-29.9	30-199	200-499
500+						
INDUSTRIAL						
All Industrial Zones	\$420	\$400	\$600	\$720	\$840	
\$960						
		600	800	1200	1500	1800
2000						
BUSINESS AND COMMERCIAL						
All Business and						
Commercial Zones	420	400	600	720	840	
\$960						

	600	800	1200	1500	1800	
2000 RESIDENTIAL						
Multiple Residential						
and Low Density Multiple						
Residential Zones	360	420	480	600	720	
040						
	500	700	900	1100	1500	
1800						
All Other Residential						
Agricultural, Recreational						
and Mineral						
Conservation Zones	200	250	300	400	500	600
	300	500	700	900	1100	1300

The application fee for cities, public agencies and regional public governmental bodies shall be the same as nongovernmental applicants. Subsequent to initial approval, any site plan approvals or site plan or contract modifications requiring public hearing shall be subject to an application fee of ~~one-hundred-fifty-dollars-(\$150.00)~~ three hundred twenty five dollars (\$325.00).

Section 3. Snohomish County Code Title 18, subsection 18.96.050 last amended by ordinance December 29, 1980, is amended as follows:

18.96.050 Notice of violation--Assessment of penalty.

Whenever the ~~director-of-the-building-department~~ building official has found or determined that any building, structure, premises, or land is being used or maintained in violation of this title, the ~~director~~ building official is authorized to issue a notice of violation directed to the record owner thereof and/or to such other persons as are causing or contributing to such violation.

(1) The notice of violation shall contain:

(a) The name and address of the record owner or other person to whom the notice of violation is directed;

(b) The street address when available or a legal description sufficient for identification of the building, structure, premises, or land upon or within which the violation is occurring;

~~(c)--A-statement-that-a-cumulative-civil-penalty-in-the-amount-of-ten-dollars-(\$10.00)-per-day-shall-be-assessed-against-the-person-to-whom-the-notice-of-violation-is-directed-for-each-and-every-day-following-the-date-set-for-correction-on-which-the-violation-continues;~~

~~(d)~~ (c) A statement of the action required to be taken as determined by the ~~director~~ building official and a date for correction which shall be not less than three (3) weeks from the date of service of the notice of violation unless the ~~director~~ building official has determined the violation to be immediately hazardous;

~~(e)~~ (d) A statement that a cumulative civil penalty in the amount of ~~three-dollars-(3)~~ ten dollars (\$10) per day shall be assessed against the person to whom the notice of violation is directed for each and every day following the date set for correction on which the violation continues; and

~~(f)~~ (e) A statement that the ~~director's~~ building official's determination of violation may be appealed to the examiner by filing written notice of appeal, together with a ~~\$25.00~~ \$50.00 filing fee, in accordance with Chapter 18.88, with the department of community affairs within fifteen (15) days of service of the notice of violation, and that the per diem civil penalty shall not accrue during the pendency of such administrative appeal.

(2) The notice of violation shall be served upon the person(s) to whom it is directed either personally in the manner provided for personal service of notices of complaint in justice court or by mailing a copy of the notice of violation by certified mail, postage prepaid, return receipt requested, to such person at his last known address. Proof of personal service shall be made at the time of service by a written declaration under penalty of perjury executed by the person effecting service, declaring time, date and the manner by which service was made.

(3) A notice of violation issued pursuant to this section constitutes a determination from which an administrative appeal may be taken pursuant to the provision of Chapter 18.88 of this title. The cumulative civil penalty provided for in Section 18.96.040 shall not accrue during the pendency of an administrative appeal.

(4) For good cause shown, the ~~director~~ building official may extend the date set for correction in the notice of violation; provided, that such an extension shall not affect or extend the time within which an administrative appeal must be commenced.

Section 4. Snohomish County Code, Title 19, Subsection 19.14.010 adopted by ordinance December 29, 1980, is amended as follows:

19.14.010 Preliminary plat check fee. Each preliminary plat shall be accompanied by a filing fee in the amount of ~~\$250.00 plus \$12.00~~ \$500.00 plus \$15.00 per proposed lot; Provided that, the maximum fee shall be ~~\$1750.00~~ \$2500.00. Said fee shall not be refundable unless otherwise determined by the director.

Section 5. Snohomish County Code, Title 20, subsection 20.20.020 adopted by resolution July 20, 1978, is amended as follows:

20.20.020 Fees. A fee of ~~One-Hundred-Dollars-(\$100.00)~~ two hundred dollars (\$200.00) shall be paid to the office of community development at the time of application for short plat approval. A fee of fifty dollars (\$50.00) shall be paid to the office of community development upon filing of an appeal pursuant to Section 20.20.090 or application for modification pursuant to Chapter 20.32.

Section 6. Snohomish County Code, Title 20A, subsection 20A.20.020 adopted by resolution July 30, 1979, is amended as follows:

20A.20.030 Fees. A filing fee of ~~One-Hundred-Dollars-(\$100) plus Five-Dollars-(\$5.00)~~ two hundred dollars (\$200.00) plus ten dollars (\$10) per tract shall be paid to the office of community development at the time of application. Said fee shall not be refundable.

Section 7. Snohomish County Code, Title 23, subsection 23.16.400 amended by resolution October 9, 1978, is amended as follows:

23.16.400 Fees. The following fees which are in addition to any other fees provided for by law shall be charged when Snohomish County is the lead agency for a noncounty proposal.

(1) Threshold Determination: For every threshold determination, a fee of ~~\$50.00~~ \$100.00 shall be required of the proponent of the proposal; except that a fee of \$150.00 shall be required on applications for subdivisions, commercial/industrial rezones and conditional use applications for excavations and landfills; PROVIDED, that no threshold determination fee shall be charged for a

proposal which would be categorically exempt but for the provisions of SCC 23.12.080. This fee shall be collected prior to undertaking the threshold determination, and the time periods provided in SCC 23.16.200 for making a threshold determination shall not begin to run until payment of the fee.

(2) EISs.

(a) The following EIS preparation and distribution costs shall be borne by the applicant or proponent.

(i) Actual costs of the time spent by regular county professional, technical and clerical employees required for the preparation and distribution of the applicant's impact statement; PROVIDED, that such costs shall be accounted for properly; and PROVIDED, FURTHER, that no costs shall be charged for processing of the application which would be incurred with or without the requirement for an EIS or which are covered by the regular application fee; and

(ii) Additional costs, if any, for experts not employed by the county, texts, printing, advertising, and for any other actual costs required for the preparation and distribution of the EIS; and

(iii) When an EIS is to be prepared by a consultant pursuant to SCC 23.32.080, actual consultant fees which shall be solely the responsibility of and billed directly to the applicant or proponent; PROVIDED, that the applicant or proponent shall also bear such additional county costs as provided for in (i) and (ii) above as are incurred in the review, revision, approval and distribution of the EIS.

(b) When an EIS is to be prepared by the county, following consultation with the applicant, the lead department shall inform the applicant of estimated costs and completion date for the draft EIS prior to accepting the deposit required by subsection 2(c). Such estimate shall not constitute an offer or covenant by the lead department nor shall it be binding upon the county

(c) In order to assure payment of the above county costs, the applicant or proponent shall post with the county cash, surety bond or other sufficient and acceptable security in the minimum amount of ~~\$500.00~~ \$1500.00; PROVIDED, that for consultant-prepared EISs, the security may be in such lesser amount as deemed sufficient by the responsible official to cover estimated county costs. If accrued county costs will exceed the posted security, EIS preparation shall cease following reasonable notice to the applicant until posting by the applicant or proponent of such additional security as deemed sufficient by the responsible official to secure the payment of estimated additional county costs.

Any unexpended balance from security deposits made by the applicant shall be returned upon completion of the final EIS.

Section 8. Snohomish County Code, Title 26A, subsection 26A.08.010 amended by ordinance December 29, 1980, is amended as follows:

26A.08.010 Appeals to be Conducted as Appeals of Any Other County Land Use Decision. Any developer or other person who wishes to appeal any decision made in the implementation of this ordinance, may seek review of such decision in the manner otherwise provided for review of such decision in the manner otherwise provided for review of the applicable land use decision, PROVIDED, that, decisions of the department of community affairs regarding the application of this title to building permits shall be appealable to the hearing examiner. Appeals shall be filed with the department of community

affairs and shall be in writing and contain a brief statement of the reason why error is assigned to the director's decision, and shall be accompanied by a fee of ~~twenty-five dollars-(\$25.00)~~ fifty dollars (\$50.00); Provided, that such appeal fee shall not be charged to a department of the county or to other than the first appellant. The appeal shall be processed in the manner prescribed for hearing administrative appeals under Chapters 2.02 and 18.88 of the Snohomish County code.

Dated this 29th day of April, 1981.

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

*Donald J. Butler*  
Chairman

*Ellie Snyder*  
Clerk of the Council

(  ) APPROVED

(     ) EMERGENCY

(     ) VETOED

DATE 5-7-81

*Donna Leifu Johnson*  
ATTEST

*Willis D. Tucker*  
County Executive

PUBLISHED April 22, 1981 and May 13, 1981