

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

AMENDED ORDINANCE NO. 96-033



AMENDING SNOHOMISH COUNTY CODE
CHAPTER 6.64
RELATING TO CONVERSION TO CONDOMINIUMS

WHEREAS, the county executive and county council have identified regulatory reform of land use regulations as a high priority for county government; and

WHEREAS, with the assistance of the county council, the county executive and prosecuting attorney have established a regulatory reform process to make land use regulations more understandable to the public and more easily implemented by the county; and

WHEREAS, this ordinance is a result of that process;

THEREFORE, BE IT ORDAINED:

Section 1. Snohomish County Code Section 6.64.020, last amended by Ordinance No. 95-004 on February 15, 1995 is AMENDED to read:

6.64.020 Definitions.

For the purpose of this chapter, the following terms shall have the meanings set forth below:

- (1) "Building" means a building as defined in RCW 64.32.010(5)~~((or SGC 6.64.020))~~.
- (2) "Building department" means the Snohomish county department of planning and development services.
- (3) "Condominium" means real property:
 - (a) Which is subject to a declaration filed pursuant to chapter 64.32 RCW, the Horizontal Regimes Act, or chapter 64.34 RCW, the Condominium Act; or
 - (b) In which there is private ownership of individual units and common ownership of common areas.
- (4) "Conversion" means the filing of a declaration pursuant to chapter 64.32 RCW or chapter 64.34 RCW, or the sale by a developer of condominium apartments that were previously rental units.
- (5) "Developer" means any person, firm, partnership, joint venture, corporation or any other entity or combination of entities or successors who, as an owner, undertakes the conversion, sale, or offering for sale of condominium apartments. "Developer" shall also include the developer's agent or any other person acting on behalf of the developer.
- (6) "Director" means the director of the Snohomish county department of planning and development services and his or her designee.
- (7) "Eviction" means any effort by a developer to deprive a tenant of possession of a rental unit or to terminate a tenancy by lawful or unlawful means.
- (8) "Housing code" means the Uniform Housing Code of Snohomish County ~~((Code))~~ as ~~((codified))~~ prescribed in chapter 17.44 SCC.
- (9) "Offer to sell to tenant" means a written offer to sell a condominium apartment to the tenant at a specified price and on specified terms.

(10) "Offer to sell to the public" means any advertisement, inducement, solicitation, or attempt by a developer to encourage any person other than a tenant to purchase a rental unit as a condominium apartment.

(11) "Person" means any natural person, corporation, partnership, association, trust, other entity, or any combination thereof.

(12) "Prospective purchaser" means any person, including existing tenants or subtenants, who expresses an interest to a developer in purchasing a condominium apartment or to whom a developer solicits or offers to sell a condominium apartment.

(13) "Rental unit" means any housing unit, other than a single family dwelling or units in a single family dwelling, which is occupied pursuant to a lawful rental agreement, oral or written, express or implied, which was not owned as a condominium unit on the effective date of this chapter.

(14) "Tenant" means any person who:

(a) Occupies a rental unit or holds a valid lease, express or implied, at the time of the developer's giving written notice as required by SCC 6.64.040, or the giving of notice of termination as required by RCW 59.18.200, because of conversion to a condominium, whichever is first; or

(b) Enters into the occupancy of a rental unit after the giving of either of such notice to any other tenant, without the owner advising such person that the unit might be sold or offered for sale as a condominium unit.

Where more than one person is a tenant, as defined above, in a single rental unit, any or all of them may exercise the rights given hereunder; PROVIDED, That one or more tenants cannot waive the rights of their covenants as provided in this chapter, that any or all tenants in a single rental unit shall not be entitled to accept an offer to purchase more than one rental unit, and that any rights of a tenant under a written lease with the owner shall be superior to the rights of his/her subtenant.

Section 2. The effective date of this ordinance shall be July 31, 1996..

PASSED this 12th day of June, 1996

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

RC Johnson
Chairperson

ATTEST:

Thomas J. Bratcher
Clerk of the Council

- APPROVED
 VETOED
 EMERGENCY

DATE: 6/14/96
Robert J. Drewel
County Executive

ROBERT J. DREWEL
County Executive

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