

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON



CO00021161

AMENDED ORDINANCE NO. 97-116

RELATING TO THE RIVER IMPROVEMENT PROGRAM;
AMENDING CHAPTER 21.30 SNOHOMISH COUNTY CODE

BE IT ORDAINED:

Section 1: Snohomish County Code section 21.30.030 adopted by Ordinance No. 87-065 on August 12, 1987, is amended to read:

21.30.030 Cooperative bank stabilization projects — Authorization.

The county (~~the council~~)executive may authorize river improvement program participation in cooperative bank stabilization projects upon the following basis:

(1) The owners of property which includes banks along streams, tidal or other bodies of water may apply to the county for approval of cooperative bank stabilization projects. Projects may include, but are not limited to, structural and non-structural measures to reduce bank erosion and dike restoration where existing dikes have been washed out due to flooding or high water. Project applications shall be reviewed by the department of public works for compliance with the following criteria:

(a) Projects shall comply with the provisions of chapter 86.12 RCW, as it now exists or is hereafter amended, for county flood control activities.

(b) Projects shall provide the benefits to the county set forth in SCC 21.30.030 herein.

(2) Upon completion of its review, the department of public works shall make a recommendation to the county (~~the council~~)executive for approval or disapproval of each project application and may include in its recommendation conditions which the department deems necessary to assure that the project complies with the requirements of this chapter. Recommendations for approval shall include a statement of the maximum recommended county financial participation in the proposed project and the nature of that participation.

(3) Upon receipt of the department's recommendation, the county (~~the council shall consider a project proposal at a public meeting where it~~)executive may approve or deny the project proposal by issuing a written order. In approving a project proposal, the county (~~the council~~)executive may impose any or all of the conditions recommended by the department of public works and may impose such additional conditions as are deemed necessary to assure that the project complies with the provisions of this chapter. (~~The council's decision shall be issued by the adoption of a written motion.~~)

Section 2. Snohomish County Code Section 21.30.050 adopted by Ordinance No. 87-122 on December 9, 1987, is amended to read:

21.30.050 Cooperative bank stabilization projects — County participation.

County participation in cooperative bank stabilization projects shall consist of providing financial assistance to project applicants for the purchase of materials to be utilized in their projects. ~~((a) For projects for which application for financial assistance is made on or after August 12, 1987, the following procedures shall apply:))~~ The amount of financial assistance shall be based upon an estimate (prepared in advance of the work) of the cost of required materials. The department of public works shall review materials estimates in order to assure that they are based upon competitive unit prices. Following approval of the project by the ~~((council))~~ county executive, the project applicant may proceed with the work. The project applicant shall comply with all applicable permit requirements and shall obtain materials from a county approved source as required by the department of public works. The project applicant shall notify the department of public works when the work is to commence. After the project applicant has notified the department of public works of completion of the project and has provided certification of final quantities of materials used, the director of public works shall then inspect the work. When the director of public works has determined that the work has been satisfactorily completed, the project applicant will be reimbursed for the materials used at the approved rate; PROVIDED, That the amount of reimbursement shall not exceed the original estimate; PROVIDED, FURTHER, That where unforeseen site conditions require that material in excess of that stated in the original estimate be used in order that the project be completed in a manner satisfactory to the director of public works, the amount of reimbursement may exceed the original estimate upon the recommendation of the director of public works and the approval of the ~~((council))~~ county executive.

~~((b) For projects for which application for financial assistance was made after December 1, 1986 but prior to August 12, 1987, the following procedures shall apply: The amount of financial assistance shall be based upon the determination by the director of public works of the amount of materials reasonably necessary to have been used to complete the project in a manner satisfactory to the director of public works. The department of public works shall review materials prices in order to assure that materials were obtained at competitive unit prices. The project applicant shall have complied with all applicable permit requirements and shall have obtained materials from a county approved source as required by the department of public works. After the project applicant has notified the department of public works of completion of the project and has provided certification of final quantities of materials used, the director of public works shall then inspect the work. When the director of public works has determined that the work has been satisfactorily completed, the project applicant will be reimbursed for the materials used in the amount recommended by the director of public works in accordance with this subsection and approved by the council.))~~

Section 3. Snohomish County Code Section 21.30.060 adopted by Ordinance No. 87-065, August 12, 1987, is amended to read:

21.30.060 Use of fund by department of public works.

(1) The director of public works shall have the authority to utilize river improvement funds for emergency projects where the estimated total dollar value of each project is less than \$~~((5,000))((7,000))~~10,000. Emergency projects where the estimated total dollar value exceeds \$~~((5,000))((7,000))~~10,000 shall only be approved by the county ~~((council))~~executive. Emergency projects are those in which recent flood damage has created an imminent danger of substantial property damage from the next storm. County participation in such emergency projects shall be limited to technical review and reimbursement for the cost of bank stabilization materials.

(2) The director of public works shall have the authority to utilize river improvement funds at his discretion for general flood fight activities. Flood fights shall be considered those occasions when the river system(s) is(are) predicted to crest at or above flood stage for each river system.

(3) The director of public works may use river improvement funds to administer this program and for other county projects related to flood control as approved by the county council during the annual budget process.

PASSED this 10th day of December, 1997.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

John Garner
Chairperson

ATTEST:

Barbara Sitowski
Asst. Clerk of the Council

- APPROVED
- VETOED
- EMERGENCY

Robert J. Drewel
County Executive
Dated 12/15/97

ATTEST:

Marilyn B. Abel

Approved as to form:

ROBERT J. DREWEL
County Executive

Deputy Prosecuting Attorney