

MONROE CITY COUNCIL

Regular Business Meeting
June 28, 2016, 7:00 P.M.

Council Chambers, City Hall
806 W Main Street, Monroe, WA 98272

AGENDA

Call To Order

Roll Call

Pledge Of Allegiance

1. Councilmember Kamp

Special Orders Of The Day

1. City Council Seating Arrangement

Announcements And Presentations

1. Proclamation: Parks and Recreation Month (July)

Documents: [20160628 AP1 Proclamation_Parks and Rec Month of July_2016.pdf](#)

Comments From Citizens

[This time is set aside for members of the audience to speak to the City Council on any issue related to the City of Monroe; except any quasi-judicial matter subject to a public hearing. **Please sign in prior to the meeting; testimony is limited to 3 minutes per speaker.**]

Consent Agenda

1. Approval of the Minutes; June 21, 2016, Regular Business Meeting

Documents: [20160628 CA1 MCC Minutes 20160621.pdf](#)

Unfinished Business

1. AB16-092: Discussion: MMC 5.03, Admissions Tax

Documents: [AB16-092_Discussion_Admission Tax.pdf](#)

New Business

1. AB16-093: Authorize Mayor Pro Tem to Sign 2016 Evergreen State Faire Traffic Control Services Agreement with Snohomish County

Documents: [AB16-093_Fair Traffic Agreement.pdf](#)

2. AB16-094: Ordinance No. 010/2016, Evergreen Heights Final Plat/Planned Residential Development (FPLPRD-2016-02); First Reading

Documents: [AB16-094_ORD 010 2016_Evergreen Heights FP_PRD.pdf](#)

Councilmember Reports

Staff/ Department Reports

1. Staff Report on Land Sales Update

Mayor/ Administrative Reports

1. Monroe This Week (June 24, 2016, Edition No. 25)

Documents: [20160628 MR1 Monroe This Week Edition 25.pdf](#)

2. Draft Agenda for July 12, 2016, Regular Business Meeting

Executive Session

If needed.

Adjournment

Majority vote to extend past 10:00 p.m.

THE CITY COUNCIL MAY ADD AND TAKE ACTION ON OTHER ITEMS NOT LISTED ON THIS
AGENDA

Accommodations for people with disabilities will be provided upon request. Please call City Hall at
360-794-7400. Please allow 48 hours advance notice.



Proclamation



PARKS AND RECREATION MONTH

WHEREAS, parks and recreation programs are an integral part of communities throughout this country, including Monroe, Washington; and

WHEREAS, our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

WHEREAS, parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and

WHEREAS, parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS, parks and recreation areas are fundamental to the environmental well-being of our community; and

WHEREAS, parks and natural recreation areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and

WHEREAS, our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS, the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS, the community recognizes the benefits derived from parks and recreation resources.

NOW THEREFORE I, Geoffrey Thomas, recognize the month of July 2016 as

PARKS AND RECREATION MONTH

in the City of Monroe, Washington; and encourage residents, businesses, and visitors to seek out City of Monroe parks facilities and participate in recreational events.

Geoffrey Thomas, Mayor

CALL TO ORDER, ROLL CALL AND PLEDGE

The June 21, 2016, Regular Business Meeting of the Monroe City Council was called to order by Mayor Pro Tem Patsy Cudaback at 7:00 p.m.; Council Chambers, City Hall.

Councilmembers present: Cudaback, Davis, Gamble, Kamp, Hanford¹, Rasmussen, and Scarboro.

Staff members present: Brazel, Feilberg, Nelson, Osaki, Quenzer, and Smoot; City Attorney Lell.

The Pledge of Allegiance was led by Councilmember Rasmussen.

ANNOUNCEMENTS/PRESENTATIONS

1. Presentation: Snohomish County Public Utility District (PUD) No. 1

Mr. Chris Heimgartner, Assistant General Manager, Distribution and Engineering Services, introduced PUD staff in attendance and presented information from the Snohomish County Public Utility District No. 1, including: recent outages (non-storm and all outages), system improvements (recent capital projects, recent tree trimming, future capital projects, and proposed tree trimming), new connects (residential and commercial), energy savings (kWh savings and equivalent homes powered & annual energy cost savings), and Tjerne Place (overall concept costs, TIB grant and funding, and the finished product).

Councilmembers thanked Mr. Heimgartner for the presentation; and general discussion ensued regarding the Tjerne Place project, proposed substations, 2015 outages, and proposed system improvements.

PUBLIC HEARING

1. AB16-087: Public Hearing - Ordinance No. 003/2016, Interim Zoning - East Monroe; and Resolution No. 008/2016, Adopting Findings in Support of Ordinance No. 003/2016

Mr. Dave Osaki, Community Development Director, provided background information on AB16-087, the required public hearing on Ordinance No. 003/2016 (previously adopted), and requirement to adopt legislative findings (Resolution No. 008/2016).

General discussion ensued regarding the interim nature of Ordinance No. 003/2016.

Mayor Pro Tem Cudaback opened the public hearing.

The following person spoke at the public hearing regarding Ordinance No. 003/2016 and Resolution No. 008/2016: Mr. Lowell Anderson.

¹ CLERK'S NOTE: Councilmember Hanford arrived at approximately 7:18 p.m. during Presentation #1.

Councilmember Gamble moved to close the citizen testimony portion of the public hearing; the motion was seconded by Councilmember Kamp. On vote,

Motion carried (7-0).

Councilmember Hanford moved to close the public hearing; the motion was seconded by Councilmember Gamble. On vote,

Motion carried (7-0).

Councilmember Hanford moved to approve Resolution No. 008/2016, adopting legislative findings in support of Interim Ordinance No. 003/2016 pursuant to RCW 35A.63.220 and RCW 36.70A.390; formally expressing the City Council's acknowledgement and intent regarding the continued designation of the East Monroe Area as Limited Open Space following the Growth Management Hearings Board decision in CPSGMHB Case No. 14-3-0006c, and establishing an effective date; the motion was seconded by Councilmember Gamble. On vote,

Motion carried (7-0).

COMMENTS FROM CITIZENS

The following persons spoke regarding AB16-089, Discussion: Admissions Tax: Mr. Paul Barker and Ms. Kristina Barker.

CONSENT AGENDA

1. Approval of the Minutes; June 14, 2016, Regular Business Meeting
2. Approval of AP Checks and ACH Payments (*Check Nos. 86987 through 87045 and ACH/EFT Payments in a total amount of \$1,433,540.71*)
3. AB16-088: Ordinance No. 008/2016, Repealing MMC 2.48, Library Board; Final Reading

Councilmember Kamp moved to approve the Consent Agenda; the motion was seconded by Councilmember Davis. On vote,

Motion carried (7-0).

City Clerk Elizabeth Smoot read Ordinance No. 008/2016 into the record.

NEW BUSINESS

1. AB16-089: Discussion: Admissions Tax

Ms. Dianne Nelson, Finance Director, provided background information on AB16-089, Monroe Municipal Code (MMC) 5.03 - Admissions Tax, the collection of admissions tax, and request from Jump, Rattle, and Roll.

General discussion ensued regarding current regulations (MMC 5.03), taxing process/collection, current Monroe businesses charged an admissions tax, optional

code amendments for exemptions, comparables to nearby cities (code regulations/exemptions/etc.), and the request of Jump, Rattle, and Roll.

Ms. Nelson stated that she will bring back further information for continued discussion on this matter at the June 28, 2016, Council Meeting.

FINAL ACTION

1. AB16-090: Ordinance No. 009/2016, Amending MMC 20.12 Transportation Impact Fees; First and Final Reading

Mr. Brad Feilberg, Public Works Director, provided background information on AB16-090 and the proposed amendments to Monroe Municipal Code 20.12, Transportation Impact Fees.

Councilmember Kamp moved to waive Council Rules of Procedure requiring two readings of ordinances; the motion was seconded by Councilmember Davis. On vote,

Motion carried (7-0).

Councilmember Kamp moved to adopt upon first and final reading Ordinance No. 009/2016, amending Chapter 20.12 MMC, Transportation Impact Fees; clarifying the applicability of transportation impact fees to development activity involving changes of use; providing for severability; and establishing an effective date and a five-year sunset period; the motion was seconded by Councilmember Davis.

General discussion ensued regarding the proposed code amendments.

On vote,

Motion carried (7-0).

2. AB16-091: Resolution No. 009/2016, Approving 2017-2022 Transportation Improvement Plan (TIP)

Mr. Feilberg provided background information on AB16-091 and the proposed resolution approving the 2017-2022 Transportation Improvement Program.

Councilmember Hanford moved to approve Resolution No. 009/2016, adopting a six - year Transportation Improvement Program for the years 2017-2022; the motion was seconded by Councilmember Rasmussen.

General discussion ensued regarding projects on the 2017-2022 TIP.

On vote,

Motion carried (7-0).

COUNCILMEMBER REPORTS

1. City Council Transportation/Planning, Public Works, Parks & Recreation, and Public Safety Committee (Councilmember Davis)

Councilmember Davis reviewed the items discussed at the June 21, 2016, City Council Transportation/Planning, Public Works, Parks & Recreation, and Public Safety Committee Meeting, including: Proposed Traffic Improvements.

2. Individual Reports

Councilmember Gamble wished all a happy belated Father's Day and first day of summer; and commented on Monroe Youth Baseball tournaments held the previous weekend in Everett, Washington.

Councilmember Rasmussen commented on the TriMonroe event held the previous weekend.

Councilmember Hanford commented on the Association of Washington Cities (AWC) Conference in Everett, Washington.

Councilmember Cudaback commented on attendance at a SR522 meeting held the previous week.

STAFF/DEPARTMENT REPORTS

Mr. Osaki reported on building permits issued for the Park Place Middle School Project.

Police Chief Tim Quenzer reported on attendance at a Snohomish County Police Chief's meeting in Olympia, Washington, with local legislators.

Mr. Feilberg reported on the upcoming Amateur Radio Week event – Saturday, June 25, 2016, at the Lake Tye Park Gazebo, from 11 a.m. to 7 p.m.

Mr. Gene Brazel, City Administrator, reported on the following items: Park Place Middle School Groundbreaking event, SR522 Corridor meeting, and Snohomish Health District correspondence received.

1. Finance Report

Ms. Nelson noted the Finance Report included in the agenda packet materials for the meeting.

2. Downtown Decorative Lighting Update - Installation Funding/Timing (*verbal report*)

Mr. Brazel provided an update on Downtown Decorative Lighting – the lights have been purchased, and staff is still looking into funding options for installation.

MAYOR/ADMINISTRATIVE REPORTS

1. Monroe This Week (*June 17, 2016, Edition No. 24*)

Mayor Pro Tem Cudaback noted the inclusion of Monroe This Week (*June 17, 2016, Edition No. 24*) in the agenda packet.

2. Draft Agenda for June 28, 2016, Regular Business Meeting

Administrator Brazel reviewed the draft agenda for the June 28, 2016, Monroe City Council Regular Business Meeting, the extended agenda, and additions/edits thereto. Councilmember Rasmussen noted he will be absent from the July 19, 2016, Council and Committee Meetings.

ADJOURNMENT

There being no further business, the motion was made by Councilmember Gamble and seconded by Councilmember Rasmussen to adjourn the meeting. On vote,
Motion carried (7-0).

MEETING ADJOURNED: 8:37 p.m.

Geoffrey Thomas, Mayor

Elizabeth M. Smoot, MMC, City Clerk

Minutes approved at the Regular Business Meeting of June 28, 2016.



MONROE CITY COUNCIL

Agenda Bill No. 16-092

SUBJECT:	Discussion: MMC 5.03, Admissions Tax
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DATE:	DEPT:	CONTACT:	PRESENTER:	ITEM:
06/28/2016	Finance	Dianne Nelson	Dianne Nelson	Unfinished Business #1

Discussion: 06/21/2016; 06/28/2016

- Attachments:**
1. 12/15/2015 Letter to Jump Rattle and Roll
 2. List of Cities Charging Admissions Tax with Rates
 3. City of Bothell Admissions Tax Code
 4. City of Everett Admissions Tax Code
 5. City of Kirkland Admissions Tax Code
 6. City of Marysville Admissions Tax Code
 7. City of Mountlake Terrace Admissions Tax Code
 8. City of Woodinville Admissions Tax Code
 9. City of Snohomish Admissions Tax Code

REQUESTED ACTION: Discussion and direction to the Mayor and Staff regarding potential amendments to Monroe Municipal Code 5.03, Admissions Tax.

DESCRIPTION/BACKGROUND

This is a continuation of discussion on admissions tax from the June 21, 2016, Council Meeting.

Attached is a copy of the original letter and forms sent to Jump, Rattle, and Roll regarding admissions tax, dated 12/15/2015. Also attached is a list of the cities in Washington that assess an admissions tax, with the tax rate included. The information on the list is from the Association of Washington Cities municipal tax survey of 2014.

The City's current enforcement practice is a periodic google search of the word "admission," and then contacting any local businesses that appear as a search result. Right now the Galaxy Theater is the only business paying admissions tax to the City of Monroe. The City of Arlington does not charge an admissions tax.

Examples of other cities' admissions tax codes are attached for reference. Exemptions that all cities are currently practicing (including the City of Monroe) are for any school events, non-profit organization events, or government sponsored events. Other exemptions of particular cities are:

City of Kirkland	50% reduction on tax if admission fee is also subject to another municipality's tax. (Tax is charged on all events within 1 mile of city limits.)
City of Bothell	Tax is for movie theaters only; all others exempt.
City of Marysville	Admission fees of \$1.00 or less are exempt from tax. Also exempt are admission for archery, batting cages, billiards, shuffle boards, darts, gun clubs, and the annual "Fantasy Fest."
City of Everett	Admission fees of \$0.10 or less are exempt from tax.
City of Snohomish	Tax is for adult entertainment only; all others exempt.
City of Blaine	Tourist Overlay section of city is exempt from tax.

Monroe Municipal Code 5.03., Admissions Tax, is included with the letter to Jump Rattle and Roll (for reference).

Options for consideration include:

1. Leave the municipal code intact. This would effectively require Jump, Rattle, and Roll to start paying Admissions Tax in the same manner as all other, similarly situated businesses in Monroe.
2. Direct staff to explore options for amending Monroe Municipal Code 5.03, Admissions Tax, to establish additional categories of businesses for which the City's admissions tax would not apply. The Council cannot grant an exemption for an individual business (this would constitute unlawful "special legislation"), but it can effectively exempt entire classes of businesses if there is a rationale policy basis for making such distinctions.
3. Direct staff to explore options for amending Monroe Municipal Code 5.03, Admissions Tax, to establish a minimum revenue threshold below which the admissions tax would not apply.

While it is entirely appropriate for the City Council to consider the input of Jump, Rattle, and Roll - as well as that of any other local business and/or citizen - on this topic, the Council's policy decision regarding the admissions tax should ultimately be based upon the public interest.

IMPACT – BUDGET

N/A

TIME CONSTRAINTS

N/A

COPY



December 15, 2015

Ms. Kristina Barker
Jump, Rattle and Roll, Inc.
17631 147th St SE, Ste 6
Monroe, WA 98272

Dear Ms. Barker:

We understand that you may collect an admissions fee for patrons at your establishment. If you have a cover or admission charge for any entertainment, or, for instance, for the use of equipment or facilities for the purposes of entertainment or amusement, there is a 5% admissions tax due to the City of Monroe.

Even if you do not provide entertainment, please complete the enclosed form and indicate that this is not applicable to your business at this time.

Attached is a copy of Chapter 15.03 Admissions Tax from the Monroe Municipal Code and a Certificate of Registration application for your convenience. The annual fee for the license is \$15.00. If the annual renewal application is received prior to March 1st, there is no fee.

Please complete and return to the Finance Department the Certificate of Registration application by December 31, 2015. After receipt of the application, a Certificate of Registration will be sent to you to be posted in a conspicuous place. The monthly tax returns are due on or before the last day of the month succeeding the end of the month in which the tax was collected, or a 10% penalty may be applied.

If you have any questions, please feel free to contact me by email at abright@monroewa.gov or by phone at (360) 863-4512.

Sincerely,

Amy Bright
Business Licenses/
Customer Service Assistant

Enclosures

**THE ADVENTURE
STARTS HERE!**

MCC Agenda 06/28/2016; Page 3 of 37

City of Monroe
806 West Main Street, Monroe, WA 98272
Phone (360) 794-7400 Fax (360) 794-4007
www.monroewa.gov

Unfinished Business #1; AB16-092

mailed 12/15/15



**APPLICATION
CERTIFICATE OF REGISTRATION
ADMISSIONS TAX**

PLEASE PRINT OR TYPE

1. Applicant Name _____
2. Company _____
3. Location/Address _____
4. Telephone _____ Fax _____
5. Email _____
6. Home Address _____
7. Home Telephone _____

If building is rented for this activity, provide the following information:

- Owner _____
 - Telephone _____ Fax _____
 - Email _____
 - Address _____
8. Type of Activity _____
 9. Dates of Activity (if temporary) _____
 10. Hours of Activity (if temporary) _____

11. Fees Charged:

Established Price _____
Non-City Tax _____
City Tax _____
Total Price _____

Signature of Applicant: _____ Date: _____

Please return completed form to the address below. If returned by March 1, 2016, no fee applies; if returned after March 1, 2016, please include \$15.00 fee.

**Amy Bright
City of Monroe
806 West Main Street
Monroe, WA 98272
Phone (360) 863-4512
Fax (360) 794-4007**

EXEMPTION FROM PAYMENT OF ADMISSIONS TAX

Monroe Municipal Code, Chapter 5.03.010 (H):

“Admission charge” does not include persons paying an admission to any activity of any elementary or secondary school. This admission charge does not apply to bona fide charitable organizations as defined in RCW 19.09.020, and/or Section 501(c)(3) of the Internal Revenue Code; or special benefits performance offered as a fund raiser for the community. Evidence of exempt status is required and must be submitted with application. (Ord. 1095, 1996)

***Please sign below and submit evidence of exempt status. No fee is required. A Certificate of Registration showing your exempt status will be mailed to you.**

I do hereby claim an exemption from payment of Admissions Tax.

Signature of Applicant: _____

Date: _____



TAX ON ADMISSION CHARGES

SEPARATE REPORT REQUIRED FOR EACH PLACE OF BUSINESS

OWNER		TAX DUE ON EVENT HELD	
		ON	
DBA		AT	
ADDRESS			

REMITTANCE AND REPORT: A report properly filled out on this form, accompanied by remittance due, must be filed with the Finance Director on or before the last day of the month succeeding the end of the month in which the tax was collected.

Total Price Non-City City Established Number of Taxable
 Per Ticket - Tax/Ticket - Tax/Ticket = Price/Ticket x Tickets Sold = Amount x 5% = TAX DUE

						5%	
						5%	
						5%	
						5%	
						5%	
						5%	

- A. TOTAL TAX DUE
- B. PENALTY *
- C. TOTAL TAX & PENALTY DUE: Remittance Attached.

*PENALTY: If payment is not received on the due date, as noted above, a penalty of 10% of the tax due must be added for each month or fraction thereof for which the tax is overdue.

The undersigned taxpayer declares that he has read the foregoing return and certifies it to be correct.

Signature _____	Title _____
Telephone _____	Date _____
Fax No. _____	

Return Completed Form and Payment To:

City of Monroe
Finance Department
806 West Main Street
Monroe, WA 98272
(360) 794-7400
Fax (360) 794-4007

Chapter 5.03 ADMISSIONS TAX

Sections:

- 5.03.010 Definitions.
- 5.03.020 Admissions tax levied.
- 5.03.030 Determination of amount and penalties.
- 5.03.040 Collection – Remittance to finance director.
- 5.03.050 Application and reporting.
- 5.03.060 Violations.
- 5.03.070 Severability.

5.03.010 Definitions.

“Admission charge,” in addition to its usual meaning, shall include but not be limited to the following:

- A. A cover charge or a charge made for use of seats or tables, reserved or otherwise, and similar accommodations.
- B. A charge made for rental or use of equipment or facilities for purposes of entertainment or amusement and, where the rental of the equipment or facilities is necessary to the enjoyment of the privilege for which general admission is charged, the combined charge shall be considered as the admission charge.
- C. A charge made for entertainment activities or admission to any theater, dance hall, cabaret, adult entertainment cabaret, golf course, private club, auditorium, circus, side show, outdoor amusement park, arcade, or any similar place; and includes equipment to which persons are admitted for purposes of entertainment such as arcade and video games, merry-go-rounds, ferris wheels, dodgems, roller coasters, go-carts and other rides, whether such rides are restricted to tracks or not.
- D. A sum of money referred to as a “donation” which must be paid before entrance is allowed.
- E. A charge made for food and refreshment in any place where free entertainment, recreation or amusement is provided.
- F. A charge made for season tickets or subscriptions for an event held in the city of Monroe.

G. Automobile parking charges if the amount of the charge is determined according to the number of passengers in the automobile.

H. "Admission charge" does not include persons paying an admission to any activity of any elementary or secondary school. This includes a tax on persons who are admitted free of charge or at reduced rates to any place for which other persons pay a charge or a regular higher charge for the same privileges or accommodations. This admission charge does not apply to bona fide charitable organizations as defined in RCW 19.09.020, and/or Section 501(c)(3) of the Internal Revenue Code; or special benefits performances offered as a fundraiser for the community. Evidence of exempt status is required and must be submitted with application. (Ord. 021/2013 § 1; Ord. 1095, 1996)

5.03.020 Admissions tax levied.

There is hereby levied a five percent tax or such other amount as may be set by periodic resolution on admissions for entertainment purposes in the city of Monroe. Such tax is to continue indefinitely or until amended or repealed by the city council. (Ord. 1166, 1999; Ord. 1095, 1996)

5.03.030 Determination of amount and penalties.

A. The tax hereby imposed shall be in the amount of five percent or such other amount as may be set by periodic resolution, on each admission or entertainment charge.

B. Cabarets and Similar Places. The admission charge to any cabaret, adult entertainment cabaret, private club conducting cabaret activities, or any similar place of entertainment is deemed to be the total amount charged as an admission charge, a cover charge, and/or a charge made for the use of seats and tables reserved or otherwise, and other similar accommodations. A minimum drink or participation cost in lieu of a cover charge is deemed a taxable event.

C. Signs Posted. Whenever a charge is made for admission to any place, a sign shall be posted in a conspicuous place on the entrance or ticket office stating that a five percent, or such other amount as may be set by periodic resolution, city admission tax is included in the admission charge. (Ord. 1095, 1996)

5.03.040 Collection – Remittance to finance director.

A. The tax imposed hereunder shall be collected at the time the admission charge is paid and such taxes shall be remitted by the person collecting the tax to the city of Monroe finance director in monthly remittances on or before the last day of the month succeeding the end of the monthly period in which the tax is collected or received and accompanied by such reports as the finance director shall require.

B. Any person receiving any payment for admissions shall make out a return upon such forms and setting forth such information as the finance director may require, showing the amount of the tax upon admissions for which he is liable for the preceding monthly period, and shall sign and transmit the same to the finance director with a remittance for the amount; provided, that the finance director may at his/her discretion require verified annual returns from any person receiving admission payments setting forth such additional information as he/she may deem necessary to determine correctly the amount of tax collected and payable.

C. If the return provided for herein is not made and transmitted and the tax is not collected and remitted to the city by the last day of the month succeeding the end of the month in which the tax was collected, the finance director shall add a penalty of ten percent, or such other amount as may be set by periodic resolution, of the tax per month or fraction thereof for each month overdue, which shall be added to the amount of the tax due, and remitted in the same manner.

D. Whenever any theater, circus, show, exhibition, entertainment or amusement makes an admission charge which is subject to the tax herein levied, and the same is of a temporary or transitory nature or there exists a reasonable question of financial responsibility, of which the finance director shall be the judge, may require the report and remittance of the admission tax immediately upon the collection of the same, at the conclusion of the performance or exhibition, or at the conclusion of the series of performances or exhibitions.

E. Every person liable for the collection and payment of the tax imposed by this chapter shall keep and preserve for a period of five years all unused tickets, ticket manifests, books and all other records from which can be determined the amount of admission tax which he was liable to remit under the provisions of this chapter, and all such tickets, books and records shall be open for examination and audit at all reasonable times by the finance director or his duly authorized agent. (Ord. 1095, 1996)

5.03.050 Application and reporting.

A. Any person conducting or operating any place for entrance to which an admission charge is made shall procure from the city an annual certificate of registration, the fee for which shall be fifteen dollars or such other amount as may be set by periodic resolution, and shall be posted in a conspicuous place where tickets of admission are sold or the activity occurs. All certificates of registration shall expire on December 31st and shall not be prorated. Annual renewals will be provided without a fee if application is received by March 1st of the following year; if not received in this timely manner, the renewal fee will be the same as established for an initial certificate.

B. The applicant for a certificate of registration shall furnish the finance director with the completed application, with the name and address of the owner, lessee or the custodian of the premises upon which the amusement is to be conducted, and such owner, lessee or custodian shall be notified of the issuance of such certificate and of his joint liability for collection and remittance of such tax.

C. The finance director shall have the power to adopt rules and regulations not inconsistent with the terms of this chapter for carrying out and enforcing the payment, collection and remittance of the tax herein levied, and a copy of the rules and regulations shall be on file and available for public examination in the finance director's office. (Ord. 1095, 1996)

5.03.060 Violations.

A. Violation a Misdemeanor as Provided by State Statute. Each violation of or failure to comply with the provisions of this chapter constitutes a separate offense and is a misdemeanor.

B. Collection of Tax by Civil Action. Any fee or tax due and unpaid and delinquent under this chapter and all penalties thereon may be collected by civil action, which remedies shall be in addition to any and all other existing remedies.

C. Violators Designated. Any person who directly or indirectly performs or omits to perform any act in violation of this chapter, or aids or abets the same, whether present or absent, and every person who directly or indirectly counsels, encourages, hires, commands, induces or otherwise procures another to commit such violation is and shall be a principal under the terms of this chapter and may be proceeded against as such. (Ord. 1095, 1996)

5.03.070 Severability.

If any section, sentence, clause or phrase of this chapter should 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 chapter. (Ord. 1095, 1996)

County	2014 Population (est)	Municipality	Admissions tax	Fee Amount	Fee Type
Snohomish	104,900	Everett	Yes	5.00%	Percent
Snohomish	62,600	Marysville	Yes	5.00%	Percent
Snohomish	17,660	Monroe	Yes	5.00%	Percent
Snohomish	21,090	Mountlake Terrace	Yes	5.00%	Percent
Snohomish	9,270	Snohomish	Yes	5.00%	Percent
King	41,630	Bothell	Yes	5.00%	Percent
King	82,590	Kirkland	Yes	5.00%	Percent
King	11,240	Woodinville	Yes	5.00%	Percent
King	74,630	Auburn	Yes	5.00%	
King	134,400	Bellevue	Yes	3.00%	Percent
King	48,240	Burien	Yes	5.00%	Percent
King	18,480	Covington	Yes	2.50%	Percent
King	32,880	Issaquah	Yes	5.00%	Percent
King	21,370	Kenmore	Yes	5.00%	Percent
King	121,400	Kent	Yes	5.00%	Percent
King	12,750	Lake Forest Park	Yes	5.00%	Percent
King	57,700	Redmond	Yes	5.00%	Percent
King	97,130	Renton	Yes	5.00%	Percent
King	49,260	Sammamish	Yes	5.00%	Percent
King	12,130	Snoqualmie	Yes	5.00%	Percent
King	19,210	Tukwila	Yes	5.00%	Percent
Pierce	9,175	DuPont	Yes	5.00%	Percent
Pierce	58,360	Lakewood	Yes	5.00%	Percent
Pierce	38,670	Puyallup	Yes	5.00%	Percent
Pierce	200,900	Tacoma	Yes	5.00%	Percent
Pierce	31,420	University Place	Yes	5.00%	Percent
Skagit	8,445	Burlington	Yes	5.00%	Percent
Skagit	10,610	Sedro-Woolley	Yes	4.00%	Percent
Whatcom	4,865	Blaine	Yes	\$1.00	Dollar Amt
Benton	3,255	Benton City	Yes	5	
Benton	77,700	Kennewick	Yes	5.00%	Percent
Benton	52,090	Richland	Yes	5.00%	Percent
Cowlitz	11,960	Kelso	Yes	5.00%	Percent
Cowlitz	37,040	Longview	Yes	5.00%	Percent
Grant	565	Coulee City	Yes	5	
Grant	7,930	Ephrata	Yes	5.00%	Percent
Grant	21,600	Moses Lake	Yes	4.00%	Percent
Grant	1,530	Soap Lake	Yes	\$5.00	Dollar Amt
Grays Harbor	16,850	Aberdeen	Yes	5.00%	Percent
Kitsap	13,150	Port Orchard	Yes	5.00%	Percent
Kitsap	9,775	Poulsbo	Yes	5.00%	Percent

County	2014 Population (est)	Municipality	Admissions tax	Fee Amount	Fee Type
Kittitas	18,440	Ellensburg	Yes	5.00%	Percent
Kittitas	895	Roslyn	Yes	5.00%	Percent
Okanogan	435	Winthrop	Yes	10.00%	Percent
Spokane	8,675	Liberty Lake	Yes	5.00%	Percent
Spokane	213,100	Spokane	Yes	5.00%	Percent
Thurston	45,320	Lacey	Yes	5.00%	Percent
Thurston	49,670	Olympia	Yes	5.00%	Percent
Whitman	31,420	Pullman	Yes	0,05	
Yakima	7,395	Selah	Yes	5.00%	Percent
Asotin	1,265	Asotin	Yes	5.00%	Percent

City of Bothell

Chapter 3.80
ADMISSIONS AND ENTERTAINMENT TAX

Sections:

- 3.80.010 Admission tax – Definitions.
- 3.80.020 Admissions tax levied.
- 3.80.030 Collection – Remittance to city.
- 3.80.040 Violations.

3.80.010 Admission tax – Definitions.

SHARE

As used in conjunction with the admissions and entertainment tax, the following terms have the meanings set forth below:

- A. "Admission charge" shall mean a charge made for admission to any movie theater.
- B. "City" shall mean the finance department, or its successor, of the city of Bothell.
- C. "Operator" shall mean the manager and/or owner of the entertainment business subject to the admission charge. (Ord. 2012 § 1, 2009).

3.80.020 Admissions tax levied.

SHARE

Effective the first day of the first full calendar month after the effective date of the ordinance codified in this chapter, there is hereby levied a five percent admission tax on the ticket price or other charge for entertainment as defined in BMC3.80.010. (Ord. 2012 § 1, 2009).

3.80.030 Collection – Remittance to city.

SHARE

- A. The tax imposed hereunder shall be collected from the person paying the admission charge at the time the admission charge is paid, and such taxes shall be remitted by the operator collecting the tax to the city in quarterly remittances on or before the last day of the month succeeding the end of the quarterly period in which the tax is due.
- B. Any operator of an entertainment business defined in BMC3.80.010 receiving any payment for admissions shall make a return upon such forms and setting forth such information as the city may reasonably require, showing the amount of the tax upon admissions for which the operator is liable for the preceding quarterly period, and shall sign and transmit the same to the city, with a remittance for the amount; provided, that the city may, at its discretion, require verified annual returns from any operator receiving admission payments setting forth such additional information as the city may deem necessary to correctly determine the amount of tax collected and payable.
- C. If the return provided for herein is not made and transmitted and the tax is not collected and remitted to the city by the last day of the month succeeding the end of the quarter in which the tax was due, the city shall add a penalty of 10 percent of the tax due, which penalty shall be added to the amount of the tax due, and remitted in the same manner.
- D. Every operator liable for the collection and payment of the tax imposed by this chapter shall keep and preserve for a period of three years all unused tickets, ticket manifests, books and all other records from which can be determined the amount of admission tax which such operator was liable to remit under the provisions of this chapter, and all such tickets, books and records shall be open for examination and audit at all reasonable times by the city or its duly authorized agent.
- E. The city shall have the authority to adopt rules and regulations not inconsistent with the terms of this chapter for carrying out and enforcing the payment, collection and remittance of the tax herein levied; and a copy of the rules and regulations shall be on file and available for public examination in the city clerk's office. (Ord. 2012 § 1, 2009).

3.80.040 Violations.

SHARE

- A. Violation a Misdemeanor. Each violation of or a failure to comply with the provisions of this chapter constitutes a separate offense and is a misdemeanor.
- B. Collection of Tax By Civil Action. Any tax due under the provisions of this chapter and all penalties thereon may be collected by civil action, which remedies shall be in addition to any and all other existing remedies. In the event of any civil action regarding unpaid taxes, the prevailing party shall be entitled to additionally recover its attorney fees and costs, expressly including expert witness fees for accountants or others used in the proceeding.
- C. Violators Designated. Any person who directly or indirectly performs or omits to perform any act in violation of the provisions of this chapter, or aids or abets the same, and every person or entity who directly or indirectly counsels, encourages, hires, commands, induces, or otherwise procures another to commit such violation is and shall be a principal under the terms of this chapter and may be proceeded against as such. (Ord. 2012 § 1, 2009)

Chapter 3.20
ADMISSIONS TAX¹

City of Everett

Sections:

- 3.20.010 Definitions.
- 3.20.020 Tax levied—Amount.
- 3.20.030 Tax not levied—When.
- 3.20.040 Persons admitted free.
- 3.20.050 Women and children admitted at reduced rate.
- 3.20.060 Season ticket admissions.
- 3.20.070 Tickets sold elsewhere than regular ticket office.
- 3.20.080 Permanent or box seats.
- 3.20.090 Roof garden, cabaret, etc.
- 3.20.100 Swimming pool or skating rink.
- 3.20.110 Resorts, picnic grounds, etc.
- 3.20.120 Price to appear on ticket.
- 3.20.140 Collection of tax—Duties of collector—Returns required.
- 3.20.150 Registration with city clerk.
- 3.20.160 Transitory amusements.
- 3.20.170 *Superseded.*
- 3.20.175 City admission tax receipts since January 1, 2006, to be remitted to Everett Public Facilities District.
- 3.20.180 Golf courses.
- 3.20.190 Payment of tax.
- 3.20.200 *Superseded.*

3.20.010 Definitions.

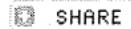


For purposes of this chapter, words and phrases shall have the following meanings:

- A. "Admission charge," in addition to its usual and ordinary meaning, includes a charge made for season tickets or subscriptions, a cover charge or a charge made for use of seats and tables, reserved or otherwise, and similar accommodations; a charge made for food and refreshments in any place where any free entertainment, recreation or amusement is provided; a charge made for rental or use of equipment or facilities for purposes of recreation or amusement, and where the rental of the equipment or facilities is necessary to the enjoyment of the privilege for which a general admission is charged, the combined charge shall be considered as the admission charge; and a charge made for automobile parking where the amount of the charge is determined according to the number of passengers in an automobile.
- B. "Clerk" means the city clerk.
- C. "Place" includes, but is not restricted to, theaters, dance halls, amphitheatres, auditoriums, stadiums, athletic pavilions and fields, baseball and athletic parks, circuses, side shows, swimming pools, outdoor amusement parks, and such attractions as merry-go-rounds, ferris wheels, dodge 'ems, roller coasters, and observation towers; provided, however, that the term "place" does not include the Regional Center owned, operated and maintained by the Everett Public Facilities District under Chapter 35.57 RCW, commonly referred to as the Everett Events Center.
- D. "Person" means any individual, receiver, assignee, firm, copartnership, joint venture, corporation, company, joint stock association, society, or any group of individuals acting as a unit, whether mutual, cooperative or fraternal; provided, however, that the term "person" does not include any nonprofit or not-for-profit corporation or organization as the term "not for profit" is defined under the statutes of the state of Washington; provided further, that the term "person" does not include the Everett Public Facilities District or any "person" as enumerated in this subsection with whom the Everett Public Facilities District has

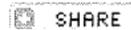
either directly or indirectly contracted for the putting on of activities such as games, plays, performances, displays or other similar activities, etc., in the Everett Events Center. (Ord. 2900-06 § 1, 2006: prior code § 4.50.010)

3.20.020 Tax levied—Amount.



There is levied and imposed upon every person who pays an admission charge to any place a tax of one cent for each twenty cents, or fraction thereof, paid for the admission charge; provided however, that whenever the admission charge is ten cents or less no tax shall be paid. (Prior code § 4.50.020)

3.20.030 Tax not levied—When.



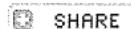
Whenever the admission charge is ten cents or less no tax shall be payable nor shall any tax be payable by any bona fide employee of the place, or by any federal, state or municipal officer or employee on official visits, or by any newspaper reporter, or by any child under twelve years of age who is admitted free. (Prior code § 4.50.030)

3.20.040 Persons admitted free.



Whenever any person is admitted free or at reduced rates to any place at any time when and under circumstances where an admission charge is made to other persons for the same or similar accommodations, a tax shall be payable by the person so admitted in an amount equal to the tax payable by such other persons for the same or similar accommodations. (Prior code § 4.50.040)

3.20.050 Women and children admitted at reduced rate.



Whenever the charge to women and children for admission to any place is less than the charge made to men, or when such persons are regularly admitted free, the lesser charge is not deemed to be a reduced rate under this chapter, and the amount of the tax payable hereunder by such persons shall be determined by the amount of the actual admission charge paid. (Prior code § 4.50.050)

3.20.060 Season ticket admissions.



Amounts paid for admission by season ticket or subscription shall be exempt only if the amount which would be charged to the holder or subscriber for a single admission is ten cents or less. (Prior code § 4.50.060)

3.20.070 Tickets sold elsewhere than regular ticket office.



Except in the case of the sale of tickets or cards sold for activities such as games, plays, performances, displays or other similar activities, etc., at the Everett Events Center, whenever tickets or cards of admission are sold elsewhere than at the ticket or box office of the place, any price or charge made in excess of the established price or charge therefor at such ticket or box office shall be taxable in a sum equal to ten percent of the amount of such excess, which tax shall be in addition to the tax on the ticket or box office admission charge, shall be paid by the person paying the admission charge, and shall be collected and remitted in the manner provided in Section [3.20.140](#) by the person selling such tickets. (Ord. 2900-06 § 2, 2006: prior code § 4.50.070)

3.20.080 Permanent or box seats.



Any person having the permanent use of boxes or seats or a lease for the use of any box or seat in any place for which an admission charge is made, in lieu of the tax imposed herein, shall pay a tax equivalent to ten percent of the amount for which a similar box or seat is sold for each performance or exhibition at which the box or seat is used or reserved by or for the lessee or holder, the same to be collected and remitted in the manner provided in Section [3.20.140](#) by the owner or operator of the place. (Prior code § 4.50.080)

3.20.090 Roof garden, cabaret, etc.



Any person who pays an admission charge to any public performance for profit at any roof garden, cabaret or other similar

entertainment to which the charge of admission is wholly or in part included in the price paid for refreshments, service or merchandise shall pay a tax of one and one-half cents for each ten cents or fraction thereof of the amount paid for admission, and the amount paid for such admission shall be deemed to be twenty percent of the amount paid for refreshment, service or merchandise. If the amount paid for admission is twenty cents or less, no tax shall be imposed; and if a fixed admission charge, including a "cover charge," is imposed upon each person admitted, and it is fair and reasonable in comparison with charges generally made for similar performances or entertainments, such charge is taxable at the rate of one cent for each twenty cents or fraction thereof; provided, that if no fixed admission charge or cover charge is imposed, but the prices charged for refreshments, service or merchandise are higher during the time entertainment or dancing is provided than at other places furnishing the same class of food or services but which do not furnish entertainment or dancing, an admission charge shall be deemed included in the price paid for refreshments, service or merchandise, and twenty percent of the total amount so paid shall be subject to the tax at the rate of one and one-half cents for each ten cents or fraction thereof. If the price paid for refreshments, service or merchandise does not exceed two dollars and fifty cents, no admission charge is deemed included in the price paid; if however, the price paid for refreshments, service or merchandise exceeds two dollars and fifty cents, the tax levied shall be computed upon the total amount thereof, even though expended on behalf of more than one person, and the amount thereof shall not be prorated among the persons of the party. If a minimum charge is imposed or a so-called "food ticket" is required to be purchased by the person admitted and such minimum charge or "food ticket" is later accepted by the management in full or part payment of food or other refreshments served, the amount paid for such minimum charge or "food ticket" shall not be deemed an amount paid for admission; and in such case the tax levied shall be equal to one and one-half cents for each ten cents or fraction of the amount paid for admission, which shall be deemed to be twenty percent of the amount paid for refreshments, service or merchandise. (Prior code § 4.50.090)

3.20.100 Swimming pool or skating rink.



From and after February 9, 1971, no person or corporation operating a swimming pool or skating rink which has paid five dollars per one thousand square feet per year, based on the total area of all facilities available to the public, including parking, shall be required or permitted to collect and/or remit any admission charge and/or tax as provided by this chapter to the city. (Prior code § 4.50.100)

3.20.110 Resorts, picnic grounds, etc.



Whenever an amount of more than ten cents is required to be paid to gain admission to any resort or picnic grounds, the whole amount so paid is subject to a tax of one cent for each twenty cents or fraction thereof, even though such amount includes a charge for use of equipment and facilities such as tables, stoves, and bath houses. If a lesser amount is charged to persons who do not use such equipment and facilities than those who do use such equipment and facilities, the lesser charge is deemed the admission charge. Where a separate charge is made for the use of equipment and facilities, such charge is not subject to the tax herein levied unless it constitutes or is part of an "admission charge" or is a "place," as defined in Section [3.20.010](#). Whenever an organization or club acquires the sole right to use a resort or picnic grounds, solely for the enjoyment of its members or employees and their friends, the amount paid for such right is an amount paid for an admission charge and subject to the tax herein levied; provided, that if the organization or club in turn charges its members or employees all or part of the amount so paid, such charge does not constitute an admission charge subject to the tax herein levied. Amounts paid for the privilege of parking cars in a resort or picnic grounds do not constitute an admission charge unless the amount of such charge is determined by the number of passengers in the automobile or the same charge is made to all persons who enter the resort or grounds, whether on foot or by other means of transportation. If a charge is made for each passenger in an automobile, in addition to a charge for parking facilities, the amount paid for the passengers is an admission charge and subject to the tax herein levied. The tax herein levied shall be paid by the person paying the admission charge and shall be collected and remitted by the person to whom the same is paid in the manner provided in Section [3.20.140](#). (Prior code § 4.50.110)

3.20.120 Price to appear on ticket.



The price (exclusive of the tax to be paid by the person paying for admission) at which every admission ticket or card is sold

shall be conspicuously and indelibly printed or written on the face or back of that part of the ticket which is to be taken up by the management of the place to which admission is gained; and it shall be unlawful for any person to sell an admission ticket or card on which the name of the vendor or the price is not so printed, stamped, or written, or to sell an admission ticket or card at a price in excess of the price printed, stamped or written thereon. (Prior code § 4.50.120)

3.20.140 Collection of tax—Duties of collector—Returns required.



Any person receiving any payment for admission on which a tax is levied under this chapter shall collect the amount of the tax imposed from the person making the admission payment. The tax required to be collected under this chapter shall be deemed to be held in trust by the person required to collect the same until paid to the clerk as herein provided. Any person required to collect the tax imposed under this chapter who fails to collect the same, or having collected the same, fails to remit the same to the clerk in the manner prescribed by this chapter, whether such failure be the result of his own act or the result of acts or conditions beyond his control, shall nevertheless be personally liable to the city for the amount of such tax, and shall, unless the remittance be made as herein required, be guilty of a violation of this chapter. The tax imposed hereunder shall be collected at the time the admission charge is paid by the person seeking admission to any place and shall be reported and remitted by the person receiving the tax to the clerk in bimonthly installments and remittances therefor on or before the fifteenth day of the month next succeeding the end of the bimonthly period in which the tax is collected or approved; provided, that the first return and remittance under this chapter shall be made on or before the fifteenth day of July, 1943, and shall cover the period from and including May 1, 1943, to and including June 30, 1943. Payment or remittance of the tax collected may be made by check, unless payment or remittance is otherwise required by the clerk, but payment by check shall not relieve the person collecting the tax from liability for payment and remittance of the tax to the clerk unless the check is honored and is in the full and correct amount. The person receiving any payment for admissions shall make out a return upon such forms and setting forth such information as the clerk may require, showing the amount of the tax upon admissions for which he is liable for the preceding bimonthly period, and shall sign and transmit the same to the clerk with a remittance for said amount; provided, that the clerk may in his discretion require verified annual returns from any person receiving admission payments setting forth such additional information as he may deem necessary to determine correctly the amount of tax collected and payable. Whenever any theater, circus, show, exhibition, entertainment or amusement makes an admission charge which is subject to the tax herein levied, and the same is of a temporary or transitory nature, of which the clerk shall be the judge, the clerk may require the report and remittance of the admission tax immediately upon the collection of the same, at the conclusion of the performance or exhibition, or at the conclusion of the series of performances or exhibitions or at such other times as the clerk shall determine; and failure to comply with any requirement of the clerk as to report and remittance of the tax as required shall be a violation of this chapter. The books, records and accounts of any person collecting a tax herein levied shall, as to admission charges and tax collections, be at all reasonable times subject to examination and audit by the clerk. (Prior code § 4.50.130)

3.20.150 Registration with city clerk.



Any person conducting or operating any place for entrance to which an admission charge is made, shall register with the city clerk. (Prior code § 4.50.140)

3.20.160 Transitory amusements.



Whenever a registration is made for the purpose of operating or conducting a temporary or transitory amusement, entertainment or exhibition by persons who are not the owners, lessees or custodians of the building, lots or place where the amusement is to be conducted, the tax imposed by this chapter shall be reported and remitted as provided in Section 3.20.140 by said owner, lessee or custodian, unless paid by the person conducting the place. The applicant registering for such purpose shall furnish the name and address of the owner, lessee or custodian of the premises upon which the amusement is to be conducted, and such owner, lessee or custodian when notified by the clerk of such registration shall be held jointly liable for collection and remittance of such tax. (Prior code § 4.50.150)

3.20.170 Enforcement.



Superseded by Ord. 2583-02. (Prior code § 4.50.160)

3.20.175 City admission tax receipts since January 1, 2006, to be remitted to Everett Public Facilities District.

 SHARE

Any proceeds from the imposition of the city's admission tax collected by the District and held by the District shall be deemed collected by the District under its admission tax resolution and becomes the proceeds of the District. Any proceeds of the city's admission tax remitted directly to the city since January 1, 2006, shall be paid over to the District's admission tax account. (Ord. 2900-06 § 3, 2006)

3.20.180 Golf courses.

 SHARE

There shall be levied an admission tax of four percent on the gross admission charge, whether in form of a membership fee or regular charge, for the privilege of playing golf, on golf courses, driving ranges and practice courses, applicable to both private and public facilities. (Prior code § 4.60.010)

3.20.190 Payment of tax.

 SHARE

The admission tax shall be paid bimonthly commencing September 1st, payable on November 1st. (Prior code § 4.60.020)

3.20.200 Penalty for violations.

 SHARE

Superseded by Ord. 2583-02. (Ord. 293-74 § 2 (part); prior code §§ 4.50.180, 4.60.030)

¹For statutory provisions authorizing cities to levy an admission tax of not more than one cent on twenty cents, see RCW35.21.160

Chapter 5.12 ADMISSIONS TAX*

City of Kirkland

Sections:

- [5.12.010](#) Definitions.
- [5.12.020](#) Imposition of tax—Rate.
- [5.12.030](#) Cabaret, private club, and other places of entertainment.
- [5.12.040](#) Swimming pool, skating rink or golf course.
- [5.12.050](#) Resort or picnic grounds.
- [5.12.060](#) Counting number of admissions—Posting admission charge required.
- [5.12.070](#) Remittance of taxes collected.
- [5.12.080](#) Certificate of registration—Fee—Posting.
- [5.12.090](#) Certificate of registration—Application by other than owner, lessee, or custodian.
- [5.12.100](#) Director of finance and administration to adopt rules.
- [5.12.110](#) Effective date of tax.
- [5.12.112](#) Severability.
- [5.12.115](#) Violation—Penalty.
- [5.12.120](#) Violator deemed principal.
- [5.12.130](#) Applications and returns confidential.
- [5.12.140](#) Shows, exhibition, games outside corporate limits—Authority—Rate.
- [5.12.150](#) Relief from payment to two municipalities.

* For the statutory provision authorizing code cities to impose any excises authorized by general law to any class city, see RCW [35A.82.020](#). For the provisions authorizing the levy of an admissions tax, see RCW [35.21.280](#).

5.12.010 Definitions.



For purposes of this chapter, words and terms shall have the following meanings:

- (1) "Admission charge" in addition to its usual and ordinary meaning, includes but is not limited in meaning to:
 - (A) A charge made for season tickets or subscriptions,
 - (B) A cover charge or a charge made for use of seats or tables, reserved or otherwise, and similar accommodations,
 - (C) A charge made for rental or use of equipment or facilities for purposes of recreation or amusement and, where the rental of the equipment or facilities is necessary to the enjoyment of the privilege for which a general admission is charged, the combined charge shall be considered as the admission charge,
 - (D) A charge made for admission to any theater, dance hall, amphitheater, private club, auditorium, observation tower, stadium, athletic pavilion or field, baseball or athletic park, circus, side show, swimming pool, outdoor amusement park or any similar place; and shall include equipment to which persons are admitted for purposes of recreation such as merry-go-rounds, ferris wheels, dodge 'ems, roller coasters, go carts and other rides whether such rides are restricted to tracts or not,
 - (E) A charge made for automobile parking where the amount of the charge is determined according to the number of passengers in an automobile;
- (2) "Person" means any individual, receiver, assignee, firm, copartnership, joint venture, corporation, company, joint stock company, association, society, or any group of individuals, acting as a unit, whether mutual, cooperative, fraternal, nonprofit or otherwise. (Ord. 2037 § 1, 1969)

5.12.020 Imposition of tax—Rate.



(a) There is hereby levied and imposed a tax upon every person without regard to age, who pays an admission charge as defined in Section [5.12.010](#); provided, that as contemplated by [RCW35.21.280](#) and [36.38.010](#), such tax shall not apply as to any person paying an admission charge to any activity of any elementary or secondary school. The tax here imposed shall be in the amount of five percent on each admission charge or charge for season or series ticket. Any fraction of tax of one-half cent or more shall result in a tax of the next highest full cent.

(b) The tax imposed by this section on a theater operating in Kirkland as of January 1, 2014, and showing motion pictures at least five days per week, six months out of the year, and using digital technology to project motion pictures, shall be reduced to zero on each admission charge, beginning on the date the transition to digital technology occurs and ending no later than June 30, 2017.

(c) Amounts paid for admission by season ticket or subscription shall be exempt if the amount which would be charged to the holder or subscriber for a single admission is fifteen cents or less.

(d) Any person having the use of a box or seat, permanently or for a specified period, shall pay in addition to the tax required for admission, under subdivision (a) of this section, a tax of five percent of the price of such box or seat, the same to be collected and remitted in the manner provided in Section [5.12.070](#) by the person selling such tickets. (Ord. 4433 § 1, 2014: Ord. 4400 § 1, 2013: Ord. 2585 § 1, 1981: Ord. 2037 § 2, 1969)

5.12.030 Cabaret, private club, and other places of entertainment.



The admission charge to any cabaret, any private club conducting cabaret activities, or any similar place of entertainment is deemed to be the total amount charged as an admission charge, a cover charge, and/or a charge made for the use of seats and tables reserved or otherwise, and other similar accommodations. (Ord. 2037 § 3, 1969)

5.12.040 Swimming pool, skating rink or golf course.



Where more than fifteen cents is required to be paid to gain entrance to any building, enclosure or area in which there is a swimming pool, skating rink, golf driving range, miniature golf course, short nine or municipal golf course, or to gain entrance to such pool, rink, or course itself, or for the use of the facilities thereof, the amount so paid or any rental paid by the person paying for such entry for use of equipment and facilities supplied him and appropriate to the enjoyment of the privilege for which the admission is charged, or the aggregate thereof, shall be deemed the admission charge. (Ord. 2037 § 4, 1969)

5.12.050 Resort or picnic grounds.



Any person paying more than fifteen cents to gain admission to any resort or picnic grounds is subject to a tax at three percent on such admission charge even though such amount includes a charge for use of equipment and facilities such as tables, stoves and bathhouses. If a lesser amount is charged to persons who do not use such equipment and facilities than those who do use such equipment and facilities, the lesser charge is deemed the admission charge. Where a separate charge is made for the use of equipment and facilities, such charge is not subject to the tax herein levied unless it constitutes or is part of an "admission charge." Whenever an organization or club acquires the sole right to use a resort or picnic grounds, solely for the enjoyment of its members or employees and their friends, the amount paid for such right is an amount paid for an admission charge and subject to the tax herein levied; provided, that if the organization or club in turn charges its members or employees all or part of the amount so paid, such charge does not constitute an admission charge subject to the tax herein levied. Amounts paid for the privilege of parking cars in a resort or picnic grounds do not constitute an admission charge unless the amount of such charge is determined by the number of passengers in the automobile or the same charge is made to all persons who enter the resort or grounds, whether on foot or by other means of transportation. If a charge is made for each passenger in an automobile, in addition to a charge for parking facilities, the amount paid for the passengers is an admission charge and subject to the tax herein levied. The tax herein levied shall be paid by the person paying the admission charge and shall be collected and remitted by the person to whom the same is paid in the manner provided in Section [5.12.070](#). (Ord. 2037 § 5, 1969)

5.12.060 Counting number of admissions—Posting admission charge required.

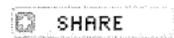


Whenever a charge is made for admission to any place, a serially numbered or reserved seat ticket shall be furnished the person paying such charge unless written approval has been obtained from the director of finance and administration to use a turnstile or other counting device which will accurately count the number of paid admissions. The established price, any non-city tax, city tax, and total price at which every such admission ticket or card is sold shall be conspicuously and indelibly printed or written on the face or back of that part of the ticket which is to be taken up by the management of the place to which admission is gained. It is unlawful for any person to sell an admission ticket or card on which the name of the person conducting the event or the price is not so printed, stamped or written, or to sell or offer to sell an admission ticket or card at a price in excess of the price printed, stamped or written thereon. The admission tax due shall be based on the established price printed on each ticket. When a charge is made for admission, a sign must be posted in a conspicuous place on the entrance or ticket office which breaks down the admission charge as follows:

Established Price	_____
Non-City Tax	_____
City Tax	_____
Total Price	_____

(Ord. 4416 § 16, 2013: Ord. 3573 § 34, 1997: Ord. 2037 § 6, 1969)

5.12.070 Remittance of taxes collected.



Any person, including any municipal or quasi-municipal corporation, who receives any payment for any admission charge on which a tax is imposed by this chapter shall collect same from the person making the admission payment and shall remit the same to the director of finance and administration as herein provided. The tax required to be collected under this chapter shall be deemed held in trust by the person required to collect the same until remitted to the director of finance and administration as herein provided. Any person required to collect the tax imposed under this chapter who fails to collect same, or who collects the same but fails to remit the same to the director of finance and administration in the manner prescribed by this chapter shall be liable to the city for the amount of such tax, and shall, unless the remittance be made as herein required, be guilty of a violation of this chapter whether such failure be the result of his, her or its own act or the result of acts or conditions beyond his or its control. The tax imposed hereunder shall be collected from the person paying the admission charge at the time the admission charge is paid and such taxes shall be remitted by the person collecting the tax to the director of finance and administration in monthly remittances on or before the fifteenth day of the month succeeding the end of the monthly period in which the tax is collected or received and accompanied by such reports as the director of finance and administration shall require; provided, that the director of finance and administration, for good cause shown, may extend the time for making and filing the return and remittance of the tax due. Payment or remittance of the tax collected may be made by check unless payment or remittance is otherwise required by the director of finance and administration, but payment by check shall not relieve the one collecting the tax from liability for payment and remittance of the tax to the director of finance and administration unless the check is in the full and correct amount and until the check is honored. Any person receiving any payment for admissions shall make out a return upon such forms and setting forth such information as the director of finance and administration may require, showing the amount of the tax upon admissions for which he is liable for the preceding monthly period, and shall sign and transmit the same to the director of finance and administration with a remittance for the amount; provided, that the director of finance and administration may in his or her discretion require verified annual returns from any person receiving admission payments setting forth such additional information as he or she may deem necessary to determine correctly the amount of tax collected and payable. If the return provided for herein is not made and the tax is not collected and paid within fifteen days after the end of the month in which the tax was collected, the director of finance and administration shall add a penalty of ten percent of the tax per month or fraction thereof for each month overdue, which shall be added to the amount of the tax due, and remitted in the same manner. Whenever any theater, circus, show, exhibition,

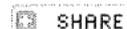
entertainment or amusement makes an admission charge which is subject to the tax herein levied, and the same is of a temporary or transitory nature or there exists a reasonable question of financial responsibility, of which the director of finance and administration shall be the judge, the director of finance and administration may require the report and remittance of the admission tax immediately upon the collection of the same, at the conclusion of the performance or exhibition, or at the conclusion of the series of performances or exhibitions or at such other times as the director of finance and administration shall determine; and failure to comply with any requirement of the director of finance and administration as to report and remittance of the tax as required shall be a violation of this chapter. Every person liable for the collection and payment of the tax imposed by this chapter shall keep and preserve for a period of five years all unused tickets, ticket manifests, books and all other records from which can be determined the amount of admission tax which he or she was liable to remit under the provisions of this chapter, and all such tickets, books and records shall be open for examination and audit at all reasonable times by the director of finance and administration or his or her duly authorized agent. Written permission may be granted by the director of finance and administration to destroy unused tickets prior to the expiration of the five-year period. (Ord. 4416 § 17, 2013: Ord. 3573 § 35, 1997: Ord. 2037 § 7, 1969)

5.12.080 Certificate of registration—Fee—Posting.



Any person conducting or operating any place for entrance to which an admission charge is made shall, on a form prescribed by the director of finance and administration, make application to and procure from the city a certificate of registration, the fee for which shall be one dollar, which certificate shall continue valid until the thirty-first day of December of the year in which the same is issued. Such certificate of registration, or duplicate original copies thereof to be issued by the director of finance and administration without additional charge, shall be posted in a conspicuous place in each ticket or box office where tickets of admission are sold. (Ord. 4416 § 18, 2013: Ord. 3573 § 36, 1997: Ord. 2037 § 8, 1969)

5.12.090 Certificate of registration—Application by other than owner, lessee, or custodian.



Whenever the applicant for a certificate of registration, obtained for the purpose of operating or conducting a temporary or transitory amusement, entertainment or exhibition, is not the owner, lessee, or custodian of the buildings, lots or place where the amusement is to be conducted, the tax imposed by this chapter shall be reported and remitted as provided in Section [5.12.070](#) hereof by the person who is the owner, lessee or custodian, if not paid by the person conducting the amusement, entertainment or exhibition. The applicant for a certificate of registration in any case shall furnish the director of finance and administration, with the application with the name and address of the owner, lessee or custodian of the premises upon which the amusement is to be conducted, and such owner, lessee or custodian shall be notified by the director of finance and administration of the issuance of such certificate and of his or her joint liability for collection and remittance of such tax. (Ord. 4416 § 19, 2013: Ord. 3573 § 37, 1997: Ord. 2037 § 9, 1969)

5.12.100 Director of finance and administration to adopt rules.



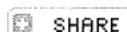
The director of finance and administration shall have power to adopt rules and regulations not inconsistent with the terms of this chapter for carrying out and enforcing the payment, collection and remittance of the tax herein levied; and a copy of the rules and regulations shall be on file and available for public examination in the director of finance and administration's office. Failure or refusal to comply with any such rules and regulations is a violation of this chapter. (Ord. 4416 § 20, 2013: Ord. 3573 § 38, 1997: Ord. 2037 § 10, 1969)

5.12.110 Effective date of tax.



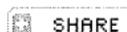
The tax hereby levied and imposed shall be collected and paid on and after April 1, 1969. (Ord. 2037 § 11, 1969)

5.12.112 Severability.



If any portion of this chapter shall be adjudged invalid, such invalidity shall not affect the portions which are not adjudged invalid. (Ord. 2037 § 12, 1969)

5.12.115 Violation—Penalty.



Each violation of or failure to comply with the provisions of this chapter shall constitute a separate offense and shall subject the offender to a fine of not to exceed two hundred fifty dollars, or to imprisonment for not more than ninety days, or to both such fine and imprisonment. (Ord. 2037 § 13, 1969)

5.12.120 Violator deemed principal.

 SHARE

Any person who directly or indirectly performs or omits to perform any act in violation of this chapter, or aids or abets the same, whether present or absent, and every person who directly or indirectly counsels, encourages, hires, commands, induces or otherwise procures another to commit such violation is, and shall be, a principal under the terms of this chapter and may be proceeded against as such. (Ord. 2037 § 14, 1969)

5.12.130 Applications and returns confidential.

 SHARE

The applications and returns made to the director of finance and administration pursuant to this chapter shall not be made public, nor shall they be subject to the inspection of anyone except the city manager, city attorney, director of finance and administration or authorized agent, and members of the city council, and it is unlawful for any person to make public or to inform another person as to the contents or any information contained in or to permit inspection of any application or return except as in this section authorized. (Ord. 4416 § 21, 2013: Ord. 3573 § 39, 1997: Ord. 2037 § 15, 1969)

5.12.140 Shows, exhibitions, games outside corporate limits—Authority—Rate.

 SHARE

(a) Any show, exhibit, or lawful game for which an admission charge is made which is carried on in whole or in part within the city limits which would be subject to the provisions of Sections [5.12.010](#) through [5.12.130](#), but for the fact that such activity or the place payment of admission fee therefor is located outside the corporate limits of Kirkland, but within one mile thereof, shall be subject to the following licensing provisions:

Pursuant to the authority given to cities of the third class under RCW [35.24.290\(7\)](#) to license for purposes of regulation and revenue all shows, exhibitions and lawful games carried on within such city and within one mile of the corporate limits thereof any show, exhibit or lawful game to which an admission is charged, shall prior to its commencement, be licensed by the city. The fee for such license shall be three percent of the total gross revenue received from such admission charges; provided however, that there shall be allowed as a credit against such license fee an amount equal to the amount paid (if any) to the city under the provisions of Sections [5.12.010](#) through [5.12.130](#) inclusive (admission tax) for such show, exhibition or lawful game.

(b) The manner of registration for such license and the manner of establishing and paying such license fee shall be as set forth in Sections [5.12.030](#) through [5.12.130](#) inclusive. (Ord. 2051 § 1, 1969: Ord. 2037 § 16, 1969)

5.12.150 Relief from payment to two municipalities.

 SHARE

Whenever a charge is made for admission to any place which charge is subjected to an admission tax levied by any other municipality then the rate imposed by this chapter either by way of admission tax or license fee shall be reduced by fifty percent. (Ord. 2051 § 2, 1969: Ord. 2037 § 17, 1969)

City of Marysville

**Chapter 3.86
ADMISSIONS TAX**

Sections:

- 3.86.010 Definitions.
- 3.86.020 Certificate of registration.
- 3.86.030 Tax levied.
- 3.86.040 Business license required.
- 3.86.050 Exemptions.
- 3.86.060 Counting number of admissions.
- 3.86.070 Printing admission charges.
- 3.86.075 Unlawful sales of tickets in excess of price.
- 3.86.080 Posting admission charge.
- 3.86.090 Tickets sold elsewhere than regular ticket office.
- 3.86.100 Collection and remittance.
- 3.86.110 Penalty for late payment.
- 3.86.120 Transient business remittance.
- 3.86.130 Overpayment of admissions tax.
- 3.86.140 Inspection of records.
- 3.86.150 Violator – Violations.
- 3.86.160 Penalty for violation.

3.86.010 Definitions.



(1) "Admissions charge," in addition to its usual and ordinary meaning, includes but is not limited in meaning to:

- (a) A charge for season tickets or subscriptions;
- (b) Required "donation";
- (c) A cover charge, or a charge made for use of seats and tables reserved or otherwise, and other similar accommodations;
- (d) A charge made for food and refreshment in any place where free entertainment, recreation or amusement is provided;
- (e) Cover charges to night clubs, lounges, private clubs, or similar places;
- (f) Admission to any theater, indoor or outdoor amusement park. For admission to any carnival, or indoor or outdoor amusement park, the admission tax shall be imposed upon admission to such carnivals or amusement parks. However, the city will not impose an additional tax upon admissions to any mechanical devices, amusement type booths or activities and/or rides such as merry-go-rounds, ferris wheels, etc., within said carnival or park unless there is no admission charge "at the gate" for such events. Then the person conducting the event is required to collect a tax for the admission to the various rides;
- (g) Where an admission is required to be paid to gain entrance to any building, enclosure, place or area in which there is a for-profit professional or semi-professional sporting event. This tax shall be assessed on admission charges whether in the form of membership fee, season tickets or other charges for privilege of using or attending the event. The admissions tax shall apply to tickets sold by Marysville-based ticket sales outlets for local events only. Additionally, the tax shall also apply to ticket sales outlets which are not located in Marysville but are selling tickets for events in Marysville;
- (h) There shall be levied an admission tax at the rate set forth in MMC 3.86.030 on the gross admission charge, whether in form of a membership fee or regular charge, for the privilege of playing golf, on golf courses, driving ranges and

practice courses, applicable to both private and public facilities. Provided, however, the tax shall not apply to the cost for rental of equipment such as golf clubs or carts.

- (2) "Fraternal" means an association or society of persons formed for mutual aid and benefit, but not for profit.
- (3) "Government activities" means activities that are sponsored or conducted by other local governments, county, state or federal governments.
- (4) "Person" means any individual, receiver, assignee, firm, copartnership, joint venture, corporation, company, joint stock association, society, any group of individuals acting as a unit, whether mutual, cooperative or fraternal, or any nonprofit or not-for-profit corporation or organization as the term "nonprofit" is defined under the statutes of the state of Washington, RCW 82.04.365 and 82.04.366.
- (5) "Religious organization" means an organization engaged in the practice of a particular faith or central beliefs.
- (6) "Ticket sales outlet" means the location of any agency, person, group, etc., that is in charge of distributing, selling, or otherwise managing the sale of tickets and is collecting the fees for such tickets to any of the described events.
- (7) "Transient" means temporary, short-lived, nonpermanent or nonlasting.
- (8) "City-sponsored event" means any program or event provided by the city of Marysville or any of its departments.
- (9) "City co-sponsored event" means an event which benefits the community and for which the city of Marysville and another entity share jointly the expenses and responsibilities of providing the event. For an event to be co-sponsored by the city, there must be a formal written agreement entered into between the city and the other entity or entities sponsoring the event in which the city agrees to the co-sponsorship. A lease agreement from the city to another entity does not constitute co-sponsorship unless the lease specifically provides that it does.
- (10) "Nonprofit organization" means an organization, corporation, or association organized and operated for the advancement, appreciation, public exhibition or performance, preservation, study and/or teaching of the performing arts, visual arts, history, science, or a public charity providing social or human services or public education and which is currently recognized by the United States of America as exempt from federal income taxation pursuant to Section 501(c)(1) or (3) of the Internal Revenue Code, as now existing or hereafter amended. (Ord. 2811 § 1, 2009).

3.86.020 Certificate of registration.



- (1) Every person, firm or corporation, prior to conducting or operating any event, or place of entrance, to which an admission charge is made, shall complete a certificate of registration and file the same with the finance director. The certificate of registration shall continue to be valid until December 31st of the same year in which it was issued. The application for certificate of registration, or a duplicate of it, shall be posted in the ticket office or box office where tickets or admission are sold.
- (2) Whenever registration is made for the purpose of operating or conducting a temporary or transitory event by persons who are not the owners, lessees or custodians of the building, lots or place where the activity is to be conducted, both the person conducting the event and the owner, lessee or custodian shall be held jointly liable for collection and remittance of the said tax. The owner, lessee and/or custodian shall be responsible for the remittance of the entire admissions tax unless the tax is paid by the conductor of the event. (Ord. 2811 § 1, 2009).

3.86.030 Tax levied.



There is hereby levied and imposed upon every person without regard to age who pays an admission charge to any place as described in this chapter a tax of \$0.01 for each \$0.20, or fraction thereof, paid for the admission charge. Failure to pay such tax or failure to collect such tax shall be a violation of this chapter. (Ord. 2811 § 1, 2009).

3.86.040 Business license required.



In addition to any licenses and fees required under this chapter, every applicant shall also obtain a business license pursuant to MMC Title 5. (Ord. 2811 § 1, 2009).

3.86.050 Exemptions.



The following activities are exempt from the provisions of this chapter:

- (1) Activities of elementary and secondary schools;
- (2) Activities of churches and religious organizations;
- (3) Government activities;
- (4) City-sponsored and city co-sponsored events; provided, that for-profit activities conducted in conjunction with such an event shall not be exempt;
- (5) Activities of nonprofit organizations, as defined in MMC 3.86.010(10); provided, that all of the following requirements are met:
 - (a) The nonprofit organization:
 - (i) Publicly sponsors and through its members, representatives or personnel promotes and publicizes the event; or
 - (ii) Publicly sponsors and:
 - (A) Performs a major portion of the performance; or
 - (B) Supplies a major portion of the materials on exhibit; or
 - (C) When the event is part of a season or series of performances or exhibitions, performs the major portion of the performances or exhibitions in the season or series or supplies a major portion of the materials on exhibit;
 - (b) The nonprofit organization receives the use and benefit of the admission charges collected;
 - (c) The proceeds from any single event sponsored by the nonprofit organization do not exceed \$100,000;
 - (d) The event for which the exemption is claimed cannot be one for which a nonprofit organization lends its name as an endorsement to an ineligible person or organization for the purpose of invoking the exemption;
 - (e) The nonprofit organization must be registered with the finance director's office as provided in MMC 3.86.020 and must provide a copy of its incorporation approval by the state of Washington and any other proof deemed reasonably necessary by the finance director to verify that the organization meets the definition of "nonprofit organization" established by this chapter. (Ord. 2811 § 1, 2009).

3.86.060 Counting number of admissions.



Whenever a charge is made for admission to any place, a serially numbered or reserved seat ticket shall be furnished to the person paying such charge unless written approval has been obtained from the finance director to use a turnstile or other counting device which will accurately count the number of paid admissions. (Ord. 2811 § 1, 2009).

3.86.070 Printing admission charges.



(1) The established price of admission, any non-city tax, city tax, and the total price at which each admission ticket or card is sold, shall be conspicuously and indelibly printed or written on the face or back of that part of the ticket which is to be retained by the management of the place to which admission is gained. This requirement may be waived in regard to temporary or

transient events, which due to time make it impossible to print up admission tickets. This waiver must be reviewed and authorized by the finance director's office prior to authorizing the event.

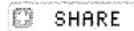
(2) It is unlawful for any person to sell an admission ticket or card without having the name of the person conducting the event and the price of admission printed, stamped or written thereon. The admission tax due shall be based on the established price printed on each ticket. (Ord. 2811 § 1, 2009).

3.86.075 Unlawful sales of tickets in excess of price.



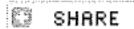
It is unlawful for anyone to sell or offer to sell an admission ticket or card at a price in excess of the price printed, stamped or written thereon. This section does not prohibit a ticket agent, duly authorized to sell tickets by the person or entity responsible for or in charge of conducting the subject event, from collecting a reasonable handling charge from the purchaser, in addition to the disclosed ticket price, consistent with general marketing practices in the Marysville area. The handling charge shall also be subject to tax in a sum equal to five percent of the amount of such excess or handling charge. (Ord. 2811 § 1, 2009).

3.86.080 Posting admission charge.



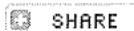
At all events, when a charge is made for admission a sign must be posted in a conspicuous place at its entrance or ticket office of the event which breaks down the admission charge as to (1) established price of admission, (2) non-city tax imposed, if any, (3) city tax imposed, and (4) total price. The name of the company or organization conducting the event shall also be posted at the same place. (Ord. 2811 § 1, 2009).

3.86.090 Tickets sold elsewhere than regular ticket office.



Whenever tickets are sold by a person outside of the city limits for an event located within the city limits, that person shall collect the admission tax imposed thereon. Whenever tickets or cards of admission are sold elsewhere than the ticket or box office of the place of event, any price or charge made in excess of the established price or charge at such ticket or box office shall also be taxable in a sum equal to five percent of the amount of such excess. This additional tax shall be paid by the person paying the admission charge and shall be collected and remitted in the manner provided in MMC [3.86.100](#) by the person selling such tickets. (Ord. 2811 § 1, 2009).

3.86.100 Collection and remittance.



(1) The person, firm or corporation receiving payment for admissions on which a tax is levied under this chapter shall collect the amount of the tax imposed from the person making payment for admission, shall hold said tax in trust until the same is remitted to the finance director as herein provided, and shall be personally liable for the amount of such tax if the same is not collected and remitted as herein provided; provided, however, that for temporary or transient events, the owner, custodian, etc., may be responsible for the payment of the tax per MMC [3.86.020](#) and this section.

(2) The tax imposed by this chapter shall be due and payable on a quarterly basis and remittance therefor shall accompany each return and be in the finance director's office by 5:00 p.m. P.S.T. on or before the last day of each April, July, October and January, by the person, firm or corporation collecting the same; provided, the finance director for good cause may require the return and remittance of the admissions tax immediately upon its collection or at the conclusion of the series of performances or exhibitions, or otherwise as the finance director deems appropriate. The quarterly returns shall be made on forms provided by the finance director, separately stating the number of admissions sold, the price for each admission, and the amount of tax, shall be signed and verified by the person making the return, and shall contain such other information as the finance director may specify. (Ord. 2811 § 1, 2009).

3.86.110 Penalty for late payment.



(1) For each payment due, if such payment is not made by 5:00 p.m. on the due date, there shall be added penalties as follows:

(a) One to 15 days' delinquency, 10 percent with a minimum penalty of \$10.00;

(b) After 15 days' delinquency, 15 percent with a minimum penalty of \$10.00 shall be imposed.

(2) Failure to pay tax is a violation of this chapter and may be punished as such in addition to the late fees imposed. (Ord. 2811 § 1, 2009).

3.86.120 Transient business remittance.

 SHARE

Whenever any activity subject to the tax imposed herein makes an admission charge and the same is of a temporary or transitory nature, of which the finance director shall be the judge, the finance director may require the return and remittance of the admissions tax immediately upon its collection or at the conclusion of the taxable activity or otherwise as the finance director deems appropriate. An application for a certificate of registration shall be required as noted in MMC 3.86.020. For temporary or transient events, the owner, lessee or custodian shall be responsible for payment of this tax if the person conducting the event fails to do so. Failure to comply with any requirement of the finance director as to reporting and remittance of the tax as required shall be a violation of this chapter. (Ord. 2811 § 1, 2009).

3.86.130 Overpayment of admissions tax.

 SHARE

Whenever the taxpayer has made an overpayment and within one year after date of such overpayment, upon submission of satisfactory proof thereof, makes application for refund or credit of the overpayment, such refund or credit shall, where appropriate, be made. (Ord. 2811 § 1, 2009).

3.86.140 Inspection of records.

 SHARE

The books, records, and accounts of any person, firm or corporation collecting a tax herein levied shall, as to admission charges and tax collections, be at all reasonable times subject to examination and audit by the finance director and/or the State Auditor, and all such records shall be retained and be available for such inspection for a period of at least six years. (Ord. 2811 § 1, 2009).

3.86.150 Violator – Violations.

 SHARE

Any person who directly or indirectly performs or omits to perform any act in violation of this chapter, including reporting posting requirements, or aids or abets the same, whether present or absent, and every person who directly or indirectly counsels, encourages, hires, commands, induces or otherwise procures another to commit such violation is and shall be a principal under the terms of this chapter, subject to penalty, and may be proceeded against as such. (Ord. 2811 § 1, 2009).

3.86.160 Penalty for violation.

 SHARE

Every person violating or failing to comply with any provision of this chapter or any lawful rule or regulation adopted by the finance director pursuant thereto is guilty of a gross misdemeanor and upon conviction thereof shall be punished by a fine not to exceed \$5,000 or by imprisonment for a term not to exceed one year or by both such fine and imprisonment.

In addition to any other remedy, no business license shall be issued or renewed, and an existing business license may be revoked, for a business which has failed to pay taxes or penalties required pursuant to this chapter. (Ord. 2811 § 1, 2009).

**Chapter 3.115
ADMISSIONS TAX**

City of Mountlake Terrace

Sections:

- 3.115.010 Levied.**
- 3.115.020 Definitions.**
- 3.115.030 Exemptions.**
- 3.115.040 Collection – Remittance to Finance Director.**
- 3.115.050 Application.**
- 3.115.060 Violations.**

3.115.010 Levied.

Effective February 1, 1994, there is hereby levied and imposed upon every person (including children without regard to age) who pays an admission charge to any place, not exempted in MTMC 3.115.030, and including persons who are admitted free of charge or at reduced rates to any place for which other persons pay a charge or a regular higher charge for the same or similar privilege or accommodation, an admission tax, which tax shall be in the amount of \$.01 for each \$.20, or fraction thereof paid. (Ord. 2037 § 1, 1994).

3.115.020 Definitions.

A. "Admission charge", in addition to its usual and ordinary meaning, means the amount which must be paid as a condition to being admitted to an event and includes, but is not limited to, the charges made for season tickets or subscriptions, a cover charge or a charge made for use of seats or tables, reserved or otherwise, and similar accommodation, a charge made for rental or use of equipment or facilities for purpose of recreation or amusement, and where the rental of the equipment or facility is necessary to the enjoyment of the privilege for which the general admission is charged, the combined charge shall be considered as the admission charge;

B. "Person" means an individual, receiver, assignee, firm, co-partnership, joint venture, corporation, company, joint stock company, association, society or a group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit or otherwise;

C. "Place" includes any theater, including movie, dance hall, amphitheater, auditorium, stadium, athletic pavilion or field, baseball or other athletic park, golf course or driving range, bowling alley, ice skating rink, circus sideshow, outdoor amusement park, merry-go-round, ferris wheel, roller coaster, observation tower, and similar attractions;

D. "Religious organizations" means any organization engaged in the practice of a particular faith or central beliefs;

E. "Nonprofit organization/entity" means any organization organized and operated for charitable, education, or other purposes which is exempt from taxation pursuant to Section 501(C)(3) of the Internal Revenue Code of 1954, as amended;

F. "City" means the City of Mountlake Terrace, Snohomish County, state of Washington. (Ord. 2037 § 2, 1994).

3.115.030 Exemptions.

The admission tax shall not be imposed or apply to any person paying an admission charge:

A. To any activity of an elementary or secondary school as contemplated by RCW 35.21.280, or to any activity of any parent-teacher-student association (PTSA), parent-teacher association (PTA), or similar organization; provided, that the proceeds of the activity are used to benefit an elementary or secondary school; or

B. In the amount of \$1.00 or less; or

C. To any activity of any person, corporation, trust, society, order, institution, organization, or association engaged

in or devoted to any religious, charitable, scientific, literary, educational, public or other like work which said organization possesses a current ruling or determination letter of exemption from the Internal Revenue Service of the United States government, a copy of which shall be filed with the City Finance Department and for which said organization, nonprofit, charitable, religious or eleemosynary organization which is actually conducting and managing the place to which the admission is being charged and not merely acting as a sponsor; or

D. To any activity/event sponsored by a municipal corporation; or

E. For purposes of greater ease and economy in the administration, collection, and enforcement of the admissions tax, certain participating athletic or sporting events are exempt from this chapter. This exemption shall apply to participants of archery, batting cages, billiards, shuffleboard, darts, and gun clubs. This exemption does not apply to spectators at sporting events who pay an admission charge, unless otherwise exempted as provided in this section; or

F. To the annual "Fantasy Fest" festival held on or about May/June of any given year. (Ord. 2037 § 3, 1994).

3.115.040 Collection – Remittance to Finance Director.

A. The tax imposed hereunder shall be collected from the person paying the admission charge at the time the admission charge is paid and such taxes shall be remitted by the person collecting the tax to the Finance Director in quarterly calendar remittances due on or before the fifteenth day of January, April, July and October for the preceding quarter ending.

B. Any person receiving any payment for admissions shall make out a return upon such forms and set forth such information as the Finance Director may require, showing the amount of the tax upon admissions that is due for the preceding calendar quarter period, and shall sign and transmit the same to the Finance Director with a remittance for the amount; provided, that the Finance Director may at his discretion require verified annual returns from any person receiving admission payments, setting forth such additional information as the Finance Director may deem necessary to determine correctly the amount of tax collected and payable.

C. Procedure upon Failure to File Return. Should a person fail to file a required admission tax return, the Finance Director makes a determination of the amount of tax due from such person based on whatever information is available and notifies such person by mail of the amount of tax so determined along with interest and penalties and directs such person to remit such amount within 10 days;

D. Interest and Penalties. Should a person fail to pay the tax due in the time proscribed, said person shall become liable for interest on the tax due at the rate of one percent per month. Should a person fail to pay the tax due within 30 days after it is due, said person shall become liable for a penalty of 10 percent of the amount of tax due, in addition to the interest provided for herein.

E. Every person liable for the collection and payment of the tax imposed by this chapter shall keep and preserve for a period of five years all unused tickets, ticket manifests, books and all other records from which can be determined the amount of admission tax which that person was liable to remit under the provisions of this chapter, and all such tickets, books and records shall be open for examination and audit at all reasonable times by the Finance Director or his duly authorized agent.

F. Whenever a charge is made for admission to any place, a sign shall be posted in a conspicuous place on the entrance of ticket office stating that a five percent City admission tax is included in the admission charge. (Ord. 2037 § 4, 1994).

3.115.050 Application.

A. Any person conducting or operating any place for entrance to which an admission charge is made shall procure from the City an annual certificate of reistration. the fee for which shall be \$10.00, and shall be posted in a

conspicuous place where tickets of admission are sold or the activity occurs. This charge will be in addition to the regular business license required.

B. The applicant for a certificate of registration shall furnish the Finance Director with the name and address of the owner, lessee, or the custodian of the premises upon which the amusement is to be conducted.

C. The Finance Director shall have the power to adopt rules and regulations not inconsistent with the terms of this chapter for carrying out and enforcing the payment, collection and remittance of the tax herein levied, and a copy of the rules and regulations shall be on file and available for public examination in the City Clerk's office. (Ord. 2037 § 5, 1994).

3.115.060 Violations.

A. Violation is a Misdemeanor. Each violation of, or failure to, comply with the provisions of this chapter constitutes a separate offense and is a misdemeanor punishable by not more than 90 days in the county jail or a fine of not more than \$1,000.

B. Collection of Tax by Civil Action. Any fee or tax due and unpaid and delinquent under this chapter, and all penalties and interest thereon, may be collected by civil action which remedies shall be in addition to any and all other existing remedies.

C. Violators Designated. Any person who directly or indirectly performs or omits to perform any act in violation of this chapter, or aids or abets the same, whether present or absent, and every person who directly or indirectly counsels, encourages, hires, commands, induces or otherwise procures another to commit such violation is and shall be a principal under the terms of this chapter and may be proceeded against as such. (Ord. 2037 § 6, 1994).

**Chapter 3.10
ADMISSIONS TAX**

City of Woodinville

Sections:

- [3.10.010](#) Definitions.
- [3.10.015](#) Tax levied.
- [3.10.020](#) Exemptions.
- [3.10.025](#) Collection – Remittance.
- [3.10.030](#) Ticket to show amount of tax.
- [3.10.035](#) Transient business remittance.
- [3.10.040](#) Certificate of registration – Fee.
- [3.10.045](#) Penalty for late payment.
- [3.10.050](#) Penalty.
- [3.10.055](#) Fund created.
- [3.10.060](#) Fund purposes – Expenditures.
- [3.10.065](#) Unexpended funds.

3.10.010 Definitions.



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(1) Admission Charge. In addition to its usual and ordinary meaning, "admission charge" includes, but is not limited in meaning to:

- (a) A charge made for season tickets or season subscriptions;
- (b) A cover charge, or a charge made for use of seats and tables reserved or otherwise, and other similar accommodations;
- (c) A charge made for food and refreshment in any place where free entertainment, recreation or amusement is provided; however, if the admission charge is separate from the food or refreshment, i.e., if one can be admitted without paying for them, then the admission tax would only apply to that fee actually paid for admission, and not to that fee or charge paid for food or refreshment. Otherwise, the entire amount shall be taxed. This shall also include cover charges to night clubs, lounges, private clubs, or similar places;
- (d) A charge made for rental or use of equipment or facilities for purposes of recreation or amusement; if the rental of the equipment or facilities is necessary to the enjoyment of a privilege for which a general admission is charged, the combined charges shall be considered as the admission charge;
- (e) Automobile parking charges if the amount of the charge is determined according to the number of passengers in the automobile;
- (f) Required "donations".

(2) "Charitable organization" means an organization exempt from Federal taxation under Section 501(c)(3) of the Internal Revenue Code.

(3) "City sponsored event" means any program or event provided by City of Woodinville departments.

(4) "City co-sponsored event" means an event which benefits the community and for which the City of Woodinville and another entity share jointly the expenses and responsibilities of providing the event. For an event to be co-sponsored by the City, there must be a formal written agreement entered into between the City and the other entity or entities sponsoring the event in which

the City agrees to the co-sponsorship. A lease agreement from the City to another entity does not constitute co-sponsorship unless the lease specifically provides that it does.

(5) "Nonprofit organization" means an organization, corporation, or association organized and operated for the advancement, appreciation, public exhibition or performance, preservation, study and/or teaching of the performing arts, visual arts, history, science, or a public charity providing social or human services or public education and which is currently recognized by the United States of America as exempt from Federal income taxation pursuant to Section 501(c)(1) or (3) of the Internal Revenue Code, as now existing or hereafter amended, and registered under Chapter 24.03 RCW.

(6) "Person" means any individual, receiver, assignee, firm, copartnership, joint venture, corporation, company, joint stock association, society, any group of individuals acting as a unit, whether mutual, cooperative or fraternal, or any nonprofit or not-for-profit corporation or organization as the term "nonprofit" is defined under the statutes of the State of Washington, RCW 82.04.365 and 82.04.366.

(7) "Place" includes, but is not limited to, movie theaters, museums, dance halls, auditoriums, restaurants, night clubs, lounges, private clubs, athletic pavilions and fields, baseball and athletic parks, swimming pools, circuses, or carnivals; provided, however, the definition of place shall not include any business or establishment located within the tourist district overlay, WMC 21.38.065.

(8) "Religious organization" means an organization engaged in the practice of a particular faith or central beliefs.

(9) "Ticket sales outlet" means the location of any agency, person, group, etc. that is in charge of distributing, selling, or otherwise managing the sale of tickets and are collecting the fees for such tickets to any of the described events.

(10) "Transient" means temporary, short-lived, nonpermanent or nonlasting. (Ord. 177 § 1, 1997)

3.10.015 Tax levied.



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There is hereby levied and imposed upon every person, without regard to age, who pays an admission charge to any place as described in WMC 3.10.010, a tax of \$0.01 on \$0.20 paid for admission. (Ord. 177 § 1, 1997)

3.10.020 Exemptions.



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The following activities are exempt for the provisions of this chapter:

- (1) Activities of elementary and secondary schools;
- (2) Activities of churches and religious organizations;
- (3) Government activities;
- (4) City sponsored and City co-sponsored events; provided, that for profit activities conducted in conjunction with such an event shall not be exempt;
- (5) Activities of nonprofit organizations, as defined in WMC 3.10.010(5); provided, that all of the following requirements are met:

(a) The nonprofit organization:

- (i) Publicly sponsors and through its members, representatives or personnel promotes and publicizes the event; or
- (ii) Publicly sponsors and:

(A) Performs a major portion of the performance; or

(B) Supplies a major portion of the materials on exhibit; or

(C) When the event is part of a season or series of performances or exhibitions, performs the major portion of the performances or exhibitions in the season or series or supplies a major portion of the materials on exhibit.

(b) The nonprofit organization receives the use and benefit of the admission charges collected.

(c) The proceeds from any single event sponsored by the nonprofit organization do not exceed \$100,000.

(d) The event for which the exemption is claimed cannot be one for which a nonprofit organization lends its name as an endorsement to an ineligible person or organization for the purpose of invoking the exemption.

(e) The nonprofit organization must be registered with the Finance Director's office as provided in WMC3.10.040 and must provide a copy of its incorporation approval by the State of Washington and any other proof deemed reasonably necessary by the Finance Director to verify that the organization meets the definition of nonprofit organization established by this chapter. (Ord. 530§ 5, 2012; Ord. 177§ 1, 1997)

3.10.025 Collection – Remittance.



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(1) The person, firm or corporation receiving payment for admissions on which a tax is levied under this chapter shall collect the amount of the tax imposed from the person making payment for admission, shall hold said tax in trust until the same is remitted to the Finance Director as herein provided, and shall be personally liable for the amount of such tax if the same is not collected and remitted as herein provided.

(2) The tax imposed by this chapter shall be reported and remitted to the Finance Director quarterly on or before the thirtieth day of the month next succeeding the quarter of the year in which the tax is collected by the person, firm or corporation collecting the tax. The quarterly returns shall be made on forms provided by the Finance Director, separately stating the number of admissions sold, the price of each admission, the amount of tax, and such other information as the Finance Director may specify. Each return shall be signed and verified by the person making the return.

(3) The books, records and accounts of any person, firm or corporation collecting the tax herein levied shall, as to admission charges and tax collections, be at all reasonable times subject to examination and audit by the Finance Director. (Ord. 530 § 5, 2012; Ord. 177 § 1, 1997)

3.10.030 Ticket to show amount of tax.



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Every admission ticket or card shall separately state and set forth, indelibly printed or written, the price, exclusive of taxes, for which admission is sold and the tax levied under this chapter. (Ord. 177 § 1, 1997)

3.10.035 Transient business remittance.



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Whenever any activity which is subject to the tax levied in WMC3.10.015 is of a temporary or transitory nature, of which the Finance Director shall be the judge, the Finance Director may require the return and remittance of the admissions tax immediately upon its collection or at the conclusion of said activities, whichever the Finance Director deems appropriate. An application for a certificate of registration shall be required as noted in WMC 3.10.040. For temporary or transient events, the owner, lessee or custodian shall be responsible for payment of this tax if the person conducting the event fails to do so. Failure to comply with any requirement of the Finance Director as to reporting and remittance of the tax as required shall be a violation

of this chapter. (Ord. 530 § 5, 2012; Ord. 177 § 1, 1997)

3.10.040 Certificate of registration – Fee.



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Every person, firm or corporation, prior to conducting or operating any event or place of entrance to which an admission charge is made, shall on a form prescribed by the City complete a certificate of registration and file the same with the Finance Director. The certificate of registration shall continue to be valid until December 31st of the same year in which it was issued. A list of admission charges for all events must accompany the certificate of registration. The application for certificate of registration, or a copy of it, shall be posted in the ticket office or box office where tickets or admission are sold. (Ord. 530 § 5, 2012; Ord. 177 § 1, 1997)

3.10.045 Penalty for late payment.



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For each payment due, if such payment is not made by 5:00 p.m. on the due date, there shall be added penalties as follows:

- (1) One to 15 days delinquency, 10 percent with a minimum penalty of \$10.00;
- (2) After 15 days delinquency, 15 percent with a minimum penalty of \$10.00.

Failure to pay tax is a violation of this chapter and may be punished as such in addition to the late fees imposed. (Ord. 177 § 1, 1997)

3.10.050 Penalty.



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Any person violating any provision of this chapter shall be guilty of a misdemeanor and shall be punished as set forth in Chapter 1.06 WMC. (Ord. 177 § 1, 1997)

3.10.055 Fund created.



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There is hereby created a special fund known as the "admissions tax park capital fund" into which all money collected from the tax imposed by WMC 3.10.015 shall be deposited. (Ord. 177 § 1, 1997)

3.10.060 Fund purposes – Expenditures.



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The fund established in WMC 3.10.055 has been created for the purpose of accumulating funds for park capital in order to acquire, maintain and improve City parks. The monies deposited into said fund shall be expended only for such purposes and for no other purpose unless otherwise directed by ordinance of the City Council. (Ord. 177 § 1, 1997)

3.10.065 Unexpended funds.



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Any unexpended funds remaining in the admissions tax park capital fund at the end of any budget year shall not be transferred to the general fund or otherwise lapse, rather said unexpended funds shall be carried forward from year to year until expended for the purposes set forth in WMC 3.10.060 or as otherwise directed by ordinance of the City Council. (Ord. 177 § 1, 1997)

City of Snohomish

Chapter 3.18

ADMISSIONS TAX

Sections:

- 3.18.010 Definitions
- 3.18.020 Imposition of Admissions Tax
- 3.18.030 Collection and Remittance of Tax
- 3.18.040 Accounting Requirement
- 3.18.050 Payment of Tax
- 3.18.060 Late Payment Fee

Section 3.18.010 Definitions. Adult motion picture theater, adult drive-in theater, and adult cabarets shall be those businesses as defined by Chapter 5.60 SMC. An adult panoram shall be that business defined by Chapter 5.62 SMC. (Ord. 2255, 2013)

Section 3.18.020 Imposition of Admissions Tax. There is hereby levied and fixed a tax of one cent (1¢) on twenty cents (20¢) or fraction thereof to be paid by the person who pays an admissions charge to an adult motion picture theater, adult drive-in theater, adult cabaret, adult panoram, or similar adult use for which admission is charged. An admission charge shall be such charge as is defined as an "admission charge" by RCW 35.21.280 as said section exists or may be amended from time to time. (Ord. 2255, 2013)

Section 3.18.030 Collection and Remittance of Tax. Each and all adult motion picture theaters, adult drive-in theaters, adult cabarets, adult panorams, and similar adult uses that receive payment of an admission charge shall collect the tax due from the persons paying the admission charge, and shall remit payment of the tax to the City of Snohomish. (Ord. 2255, 2013)

Section 3.18.040 Accounting Requirement. Businesses subject to collection and remittance of taxation pursuant to this chapter shall account to the City not less often than quarterly showing the admissions charges received within the

City on a month by month basis and the taxation collected and to be remitted. The City shall have the right, at its expense, to conduct such audit procedures as may be necessary to confirm such accounting and shall have the right, at the expense of the business subject to the obligation to collect and remit taxation, to conduct such audit procedures as are necessary to establish or account for the taxable revenue should the business subject to taxation fail or refuse to provide an accounting as provided by this section.

Section 3.18.050 Payment of Tax. The tax to be collected and remitted pursuant to this chapter shall be paid monthly upon the 20th day of the month next succeeding the month in which admissions charges were collected by the businesses subject to this chapter.

Section 3.18.060 Late Payment Fee. As to all taxes due under this chapter, beginning with the tax to be paid on the 20th day of the month following the effective date of imposition of a tax on admissions, if said tax is not collected and remitted by said 20th day, a late payment penalty shall accrue, be fixed, levied and added to the tax collection due from the business as follows:

If any tax is not collected and remitted within forty-five (45) days of its due date, a penalty shall be added and the City Council shall set the fee under this section by resolution. (Ord. 1898, 1999; Ord. 2299, 2016)



MONROE CITY COUNCIL

Agenda Bill No. 16-093

SUBJECT:	<i>Authorize Mayor Pro Tem to Sign 2016 Evergreen State Fair Traffic Control Services Agreement with Snohomish County</i>
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DATE:	DEPT:	CONTACT:	PRESENTER:	ITEM:
06/28/2016	Police Dept	Tim Quenzer	Tim Quenzer	New Business #1

Discussion: 06/28/2016

Attachments: 1. 2016 Evergreen State Fair Traffic Control Services Agreement

REQUESTED ACTION: Move to authorize the Mayor Pro Tem to sign the General Services Agreement with Snohomish County for traffic control services during the 2016 Evergreen State Fair.

DESCRIPTION/BACKGROUND

The proposed 2016 Evergreen State Fair Traffic Control General Services Agreement addresses a contractual agreement between the Snohomish County Evergreen State Fairgrounds and the Monroe Police Department for police related services mutually agreed upon by both parties. Specifically: traffic control services will be provided during the annual Evergreen State Fair, August 25, through September 5, 2016, inclusive.

IMPACT – BUDGET

Costs incurred in overtime salary will be paid for by the County and shall not exceed \$45,000 unless agreed to in writing and signed by both parties hereto.

TIME CONSTRAINTS

As soon as possible; traffic control services will be provided during the annual Evergreen State Fair, August 25, through September 5, 2016, inclusive.



Return to:
Sno Co Evergreen State Fair
M/S 602

GENERAL SERVICES AGREEMENT
CITY OF MONROE POLICE DEPARTMENT
AND
SNOHOMISH COUNTY EVERGREEN STATE FAIR

THIS AGREEMENT is hereby made and entered into this date by and between Snohomish County, a political subdivision of the State of Washington, hereinafter referred to as COUNTY, and the City of Monroe (through and on behalf of its Police Department), a municipal corporation of the State of Washington, hereinafter referred to as DEPARTMENT.

NOW, THEREFORE, in consideration of the promises, covenants and conditions herein contained, the parties hereto agree as follows:

I. PURPOSE AND DURATION OF AGREEMENT

1.1 The purpose of this Agreement is to have the DEPARTMENT provide traffic control services to the COUNTY at the following locations during the 2016 Evergreen State Fair, for the period of August 25, 2016 through September 5, 2016 inclusive.

- a. State Highway 2 and Cascade View;
- b. State Highway 2, 179th Ave Southeast intersection
- c. State Highway 2, SW entrance to the COUNTY west parking lot.
- d. State Highway 2, SW exit from COUNTY west parking lot.

This Agreement shall end as of 9:00 p.m. of September 5, 2016 unless terminated prior to that time in accordance with the provisions of this Agreement.

II. SERVICES AND EQUIPMENT TO BE PROVIDED:

2.1 The DEPARTMENT shall provide the following: Sufficient officers and cars to perform traffic control services described above in accordance with the mutually agreed upon work schedule which is attached hereto as Attachment "A" and incorporated herein as a part of the Agreement. Any deviations from this

schedule must be agreed to in writing and signed by the parties hereto, and attached to this Agreement as an addendum to Attachment "A".

2.2 The DEPARTMENT shall be responsible for obtaining flares and will submit an invoice or invoices to the COUNTY for payment of the flares by the COUNTY.

2.3 The DEPARTMENT shall be responsible for placing and removing traffic control devices daily. Traffic cones obtained by the COUNTY for the DEPARTMENT'S use must be picked up and checked out before the Fair; and returned and checked back in immediately after the last day of the Fair. Stolen or lost cones will be the responsibility of the COUNTY.

2.4 DEPARTMENT officers assigned to traffic control in accordance with the terms of this Agreement shall enforce the laws of the City of Monroe and other applicable State and local laws. Assignment of officers to perform the services required under the terms of this Agreement shall be strictly within the control of the Chief of Police of the City of Monroe.

2.5 The DEPARTMENT shall coordinate traffic control with other law enforcement agencies and the COUNTY.

2.6 The DEPARTMENT shall provide a representative to take part in the planning, coordination, assignment of tasks and sharing of information during pre-planning meetings and daily morning safety meetings.

2.7 DEPARTMENT officers exercising patrol, command responsibilities or communications functions shall log their hours daily in shift report format and a copy thereof shall be provided to the COUNTY.

2.8 The COUNTY shall provide barricades and traffic cones necessary for traffic control as required by this Agreement.

2.9 Except as otherwise provided in this Agreement, the COUNTY and the DEPARTMENT each agree that it shall individually furnish the labor, equipment, facilities, and supplies required to perform its respective obligations under this Agreement. All such property shall remain the property of the provider, and the non-providing party shall not obtain any interest therein. All property used to perform Agreement obligations shall be acquired, held, and disposed of in an appropriate manner by the providing party.

III. GENERAL PROVISIONS

3.1 The officers provided by the DEPARTMENT under the terms of this Agreement shall be under the direct command and control of the Chief of Police, City of Monroe, and shall perform the duties required by this Agreement in a manner consistent with the DEPARTMENT'S policy and regulations, laws of the City of Monroe, applicable State and local laws, Washington State law and the constitutions of the State of Washington and the United States.

3.2 The assignment of personnel to accomplish the purpose of this Agreement as set forth in Article I shall be at the discretion of the Chief of Police, City of Monroe.

3.3 The DEPARTMENT shall cause its officers to abide by the rules and regulations prescribed by the COUNTY regarding entrance to and exit from the fairgrounds and such other rules and regulations put forth by the COUNTY which are reasonable and not inconsistent with the DEPARTMENT'S policy and regulations, laws of the City of Monroe, Washington State law or the constitutions of the State of Washington and the United States.

3.4 When the term "Chief of Police" is used in this Agreement, it will be construed to mean the Chief or his/her designee.

3.5 When the term "COUNTY" is used in this Agreement, it is construed to mean the COUNTY or its designee.

3.6 The City of Monroe shall protect, save harmless, indemnify, and defend, at its own expense, Snohomish County, its elected and appointed officials, officers, employees, and agents from any loss or claim for damages of any nature whatsoever, arising out of the performance of this Agreement, including claims by third parties or the DEPARTMENT'S employees from which it is otherwise immune under Title 51 RCW, except for those damages solely caused by the negligence or willful misconduct of Snohomish County, its elected and appointed officials, officers, employees, or agents.

3.7 The DEPARTMENT will perform the services under this Agreement as an independent contractor and not as an agent, employee, or servant of Snohomish County. The parties agree that officers providing services under this Agreement are not entitled to any benefits or rights enjoyed by employees of Snohomish County. The DEPARTMENT specifically has the right to direct and control its own activities in providing the agreed services in accordance with the specifications set out in this Agreement. Snohomish County shall only have the right to ensure performance.

3.8 This Agreement shall be governed by the laws of the State of Washington. The parties stipulate that any lawsuit regarding this Agreement must be brought in Snohomish County, Washington.

IV. PAYMENT

4.1 Payment will be made by the COUNTY after the performance of services under this Agreement by the DEPARTMENT.

4.2 The DEPARTMENT will submit to the COUNTY a detailed account of costs incurred by the DEPARTMENT in performance of this Agreement for officer's time, sergeants' time and mileage. Work schedules and hours must comply with the attached work schedule as described in Attachment "A" or as agreed under paragraph 2.1.

4.3 The COUNTY will pay the total amount shown as the cost accounting submitted by the DEPARTMENT. This amount will be paid within a reasonable amount of time after submission of the accounting.

4.4 The total amount of the consideration paid by the COUNTY under this Agreement for traffic control services shall not exceed **FORTY-FIVE THOUSAND DOLLARS (\$45,000.00)**, unless agreed to in writing and signed by both parties hereto.

V. **TERMINATION**

5.1 This Agreement may be terminated at any time by mutual consent of the parties. Consent to terminate prior to the expiration of the Agreement must be in writing and signed by both parties.

5.2 In the event the Fair is not open for all or any of the dates stated on Attachment "A", County shall pay the Department only for services accepted by County, prorated in accordance with Attachment "A".

5.3 Either party may terminate this Agreement upon violation of any term or condition of the Agreement by the other party upon 24 hour notice. Termination must be done in writing and set out the term(s) violated. In the event this Agreement is terminated after partial performance of the Agreement, the DEPARTMENT shall be entitled to payment for services performed under this Agreement prior to the termination. At the time of such termination, the DEPARTMENT shall return all COUNTY owned cones or other traffic control devices in the DEPARTMENT's possession.

5.4 Termination by either party shall not affect the rights of the COUNTY under any other paragraph of this Agreement.

VI. **MODIFICATIONS**

This Agreement may not be modified orally and modifications must be accomplished with the same formalities as this Agreement.

VII. **CONFLICTS BETWEEN ATTACHMENTS AND TEXT**

Should any conflicts exist between any attached exhibit or schedule and the text of this Agreement, the text shall prevail.

VIII. **SEVERABILITY**

Should any clause, phrase, sentence or paragraph of this Agreement be declared invalid or void, the remaining provisions of this Agreement shall remain in full force and effect.

IX. **NO THIRD PARTY BENEFICIARIES**

It is the specific intent of the COUNTY and the DEPARTMENT, and both parties agree, that this Agreement shall not confer third party beneficiary status on any party, including the citizens of either the COUNTY or of the CITY.

IN WITNESS WHEREOF, City of Monroe and Snohomish County have executed this Agreement which takes effect when signed by both parties.

SNOHOMISH COUNTY:

CITY OF MONROE:

Snohomish County Executive

Date: _____

Mayor, City of Monroe

Date: _____

RISK MANAGEMENT:

Approved () Other ()

APPROVAL RECOMMENDED:

Risk Management

Date: _____

Chief, Monroe Police Department

Date: _____

APPROVAL AS TO FORM:

APPROVAL AS TO FORM:

Deputy Prosecuting Attorney

Date: _____

Monroe City Attorney

Date: _____

ATTACHMENT "A"
TRAFFIC CONTROL SCHEDULE – 2016 Evergreen State Fair

Fair Dates and Public Hours:

- Evergreen State Fair – Thursday, August 25 – Monday, September 5.
- Fair Public Hours -10am – 10pm every day, except closes at 7pm on Labor Day.
- Auto Races ending time has changed from 10pm to 9pm (6pm on Labor Day).

1) Traffic Control Hours of Operations:

Day	Date	Times	
Opening Day	Thursday	August 25	10:00 am – 11:00 pm
Agriculture Day	Friday	August 26	11:00 am – 12:Midnight
Race Day	Saturday	August 27	11:00 am – 12:Midnight
Fiesta Sunday	Sunday	August 28	11:00 am – 11:00 pm
Sr Citizens Day	Monday	August 29	12:Noon – 11:00 pm
Twosday Tuesday	Tuesday	August 30	12:Noon – 11:00 pm
Family Day	Wednesday	August 31	12:Noon – 11:00 pm
Kid's Day	Thursday	September 1	12:Noon – 11:00 pm
Armed Forces Day	Friday	September 2	11:00 am – 12:Midnight
Rodeo Day	Saturday	September 3	11:00 am – 12:Midnight
Demo Derby Day	Sunday	September 4	11:00 am – 12:Midnight
Labor Day	Monday	September 5	11:00 am – 8:00 pm

2) Daily Morning Safety meetings:

Dates	Times
August 25 – September 5	9:00 am – 9:30 pm



MONROE CITY COUNCIL

Agenda Bill No. 16-094

SUBJECT:	Ordinance No. 010/2016; Evergreen Heights, Final Plat/Planned Residential Development (FPLPRD-2016-02); First Reading
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DATE:	DEPT:	CONTACT:	PRESENTER:	ITEM:
06/28/2016	Community Development	Kristi Kyle	Kristi Kyle	New Business #2

Discussion: 05/19/2015 (Preliminary Plat approval); 06/28/2016
First Reading: 06/28/2016

- Attachments:**
1. Proposed Ordinance No. 010/2016; Exhibits A and B
 2. Resolution 010/2015 and Hearing Examiner Recommendation
 3. SEPA DNS (SEPA 2014-09) Evergreen Heights

REQUESTED ACTION: Move to accept as first reading Ordinance No. 010/2016, approving the final plat for the Evergreen Heights subdivision (FLPPRD-2016-02); setting forth supportive findings; providing for severability; and fixing a time when the same shall become effective.

DESCRIPTION/BACKGROUND

The applicant (Quadrant Homes) for the Evergreen Heights preliminary plat/planned residential development (PRD) has applied for final plat/PRD approval (*attachment 1*, Exhibit B, Final Plat application) in accordance with Monroe Municipal Code (MMC) Chapter 17.28 (“Final Plats”).

The Evergreen Heights preliminary plat/PRD (14-SDPL-0002 & 14-PLPR-0002) was approved by the Monroe City Council on May 19, 2015 (*attachment 2*, Resolution No.010/2015). At that time, the preliminary plat/PRD was named “Holzerland.”

The approved Evergreen Heights preliminary plat/PRD consists of 71 single family lots on 15.5 acres located in the vicinity of 13411 Roosevelt Road.

A SEPA Determination of Non-Significance (DNS) on the Evergreen Heights preliminary plat/PRD was issued March 11, 2015 (*attachment 3*, DNS).

The Evergreen Heights final plat/PRD application has been reviewed by all relevant City departments. The applicant has completed and/or submitted appropriate financial guarantees for all required improvements, and all necessary inspections pursuant to Monroe Municipal Code 17.28 and 18.84 have taken place.

Based on staff review, the final plat/PRD application for Evergreen Heights conforms to the approved preliminary plat/PRD and the Monroe Municipal Code.

IMPACT – BUDGET

N/A

TIME CONSTRAINTS

N/A

**CITY OF MONROE
ORDINANCE NO. 010/2016**

AN ORDINANCE OF THE CITY OF MONROE,
WASHINGTON, APPROVING THE FINAL PLAT AND
PLANNED RESIDENTIAL DEVELOPMENT FOR THE
EVERGREEN HEIGHTS SUBDIVISION (FPLPRD2016-02);
SETTING FORTH SUPPORTIVE FINDINGS; PROVIDING
FOR SEVERABILITY; AND FIXING A TIME WHEN THE
SAME SHALL BECOME EFFECTIVE

WHEREAS, approval of the preliminary plat and preliminary PRD of Holzerland was granted by the Monroe City Council on May 19, 2015, pursuant to the Council's adoption of Resolution No. 010/2015; and

WHEREAS, the preliminary plat/preliminary PRD approved as "Holzerland" has been renamed by the applicant as "Evergreen Heights;" and

WHEREAS, the project applicant of the preliminary plat and PRD has applied for final plat and final PRD approval in accordance with Chapter 17.28 and 18.84 Monroe Municipal Code (MMC), which has been reviewed and approved by all relevant City departments; and

WHEREAS, the applicant has completed and/or submitted appropriate financial guarantees for all required improvements, and all necessary inspections pursuant to Chapter 18.84 MMC have occurred; and

WHEREAS, the applicant has submitted for review and approval by the City Council a final plat/PRD application and the final plat/PRD map contained in Exhibit B, attached hereto and incorporated herein by this reference as if set forth in full; and

WHEREAS, City of Monroe staff has determined that all conditions of the preliminary plat/PRD have either been met or bonded for and will be satisfied prior to building permit issuance and has recommended that final plat and final PRD be granted; and

WHEREAS, the Community Development Director has determined that the final plat and final PRD application and map comply with all applicable standards and requirements, and has recommended approval by the City Council.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROE,
WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings. The Monroe City Council hereby incorporates the above recitals as findings in support of this ordinance. The City Council further enters the following additional findings:

- A. The final plat and final PRD for the subdivision known as “Evergreen Heights” conforms to all the terms and conditions of the preliminary plat/PRD approval granted by the City of Monroe Resolution No. 010/2015, approved May 19, 2015.
- B. The final plat/PRD meets the requirements of the state laws and the Monroe Municipal Code that was in effect at the time of Preliminary Plat/PRD application, specifically including without limitation the PRD approval criteria codified at MMC 18.84.080 as provided in Exhibit A, attached hereto and incorporated herein by this reference as if set forth in full.
- C. All required plat/PRD improvements have either been constructed or have been financially secured as approved by the City Council in amounts specified by the City Engineer.
- D. The final plat/PRD has been processed and reviewed in material compliance with all applicable state and local procedural requirements.
- E. The final plat/PRD is in conformance with all applicable zoning and other land use controls.
- F. The final plat/PRD is supported by all applicable owner, staff and agency approvals, attestations, certifications and/or recommendations as required by state and local regulations.

Section 2. Final Plat/PRD Approval. Based upon the above findings, the City Council hereby approves the final plat and PRD for the Evergreen Heights subdivision (FPLPRD2016-02); the Mayor, Community Development Director, and/or other appropriate City of Monroe staff members are authorized and directed to take all actions necessary in order to effectuate said approval, including without limitation issuance of any required notices.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should 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.

Section 4. Effective Date. This ordinance shall be in full force and effect five (5) days from and after its passage and approval and publication as required by law.

ADOPTED by the City Council and APPROVED by the Mayor of the City of Monroe, at a regular meeting held this _____ day of _____, 2016.

First Reading: June 28, 2016
Final Reading:
Published:
Effective:

CITY OF MONROE, WASHINGTON:

(SEAL)

Geoffrey Thomas, Mayor

ATTEST:

APPROVED AS TO FORM:

Elizabeth M. Smoot, MMC, City Clerk

J. Zachary Lell, City Attorney

CITY OF MONROE
ORDINANCE NO. 010/2016
EXHIBIT A

Findings of the Monroe City Council
Final Plat and Planned Residential Development (PRD)
Evergreen Heights (formerly known as “Holzerland”)

The Monroe City Council finds as follows:

- A. The Final Planned Residential Development (PRD) complies with the requirements in MMC 18.84.080.
- B. The PRD is required to pay park impact fees in accordance with MMC 20.10 as a condition of approval of the preliminary plat and preliminary PRD, and complies with MMC 18.84.080(D).
- C. The Final PRD HOA bylaws comply with assessment requirements as set forth in MMC 18.84.080(E).
- D. The Final PRD complies with the Housing Standards as set forth in MMC 18.84.080(G).
- E. The Final PRD complies with the Street and Site Design Standards as set forth in MMC 18.84.080(H).
- F. The Final PRD complies with the requirements for Park and Recreational Useable Open Space as set forth in MMC 18.84.080(I).
- G. The Final PRD complies with the Landscaping Design Standards as set forth in MMC 18.84.080(J).
- H. The Final PRD complies with the PRD Density Determination as set forth in MMC 18.84.080(K).
- I. The minimum lot size of the PRD is 3,700 square feet or larger as set forth in MMC 18.84.080(L).
- J. The PRD contains a minimum of three sizes of lots separated by a one thousand square foot threshold and no single lot size makes up more than 50 percent or less than 15 percent of the total lots as set forth in MMC 18.84.080 (N).
- K. The Final PRD conforms to the approved preliminary development plan as set forth in MMC 18.84.130.
- L. The applicant submitted a final development plan pursuant to MMC 18.84.070(B), which was reviewed and approved by all relevant City departments.

- M. The Final PRD for the subdivision commonly known as "Evergreen Heights" conforms to all terms of the preliminary plat and PRD approval granted by City of Monroe Resolution No. 010/2015, approved by the City Council on May 19, 2015.
- N. The Final PRD meets the requirements of all applicable state laws and the Monroe Municipal Code that were in effect at the time of preliminary PRD application.
- O. All PRD improvements have either been constructed or have been financially secured as approved by the City Council in the amounts specified by the City Engineer.
- P. The Final PRD has been reviewed concurrently with the final plat map for the underlying project.



City of Monroe
806 West Main Street
Monroe, WA 98272
Phone: (360) 794-7400
Fax: (360) 794-4007

Applications will be accepted
by the Permit Department
Monday through Friday
8:00 am - 12:00 pm and
1:00 pm - 5:00 pm

Final Plat Application

- Subdivision
Planned Residential Development

FOR OFFICE USE ONLY
Permit type & number: FPLPRD-2016-02
Rec'd By: KIM S. Date Rec'd: 4/15/2016
Fee Paid: \$3354.25/\$1650.00 x 2/\$85.00 - F.D./ \$169.25 Tech.

Site Address or Property Location: West terminus of White Mountain Road, south of Bear Mountain Road SE and east of Roosevelt Road SE

Assessor's tax parcel #(s): 280626-00301300, 280635-00201000

Size of site (acre/square feet): 15.0 acres / 652,523 sf Number of Lots: 71

Applicant/Agent: The Quadrant Corporation (Applicant), c/o CPH Consultants (agent) Phone #: (425) 285-2390

*Signature: [Signature] Printed Name: Matthew J. Hough, PE

Mailing Address: 11431 Willows Road NE, Suite 120 Fax #: (425) 285-2389

City: Redmond State: WA Zip: 98052 E-mail: matt@cphconsultants.com

Property Owner: same as Applicant Phone #: ()
(if different from applicant)

*Signature: Printed Name:

Mailing Address: Fax #: ()

City: State: Zip: E-mail:

2ND Property Owner: Phone #: ()
(if applicable)

*Signature: Printed Name:

Mailing Address: Fax #: ()

City: State: Zip: E-mail:

Attach a separate sheet with the above requested information if there are additional property owners or parcels.

*Applicant/Agent/: By your signature above, you hereby certify that the information submitted is true and correct and that you are authorized by the property owner(s) to act on their behalf.

**Property Owner(s): By your signature above, you hereby certify that you have authorized the above Applicant and/or Agent to make application and act on your behalf for this application. A property owner is any person, corporation, or financial institution that has ownership of all or of a portion or percentage of a property as shown on a Title Certificate for said property.

**City of Monroe
Final Plat/Subdivision Application**

List mitigation as required by SEPA Determination and date of compliance.

per City File Nos. 14-SDPL-0002 and 14-PLPR-0002, see attached letter (CPH Consultants, 1/19/2016)

Please list how all applicable conditions of decision have been met (Attach separate letter if necessary):

per City File Nos. 14-SDPL-0002 and 14-PLPR-0002, see attached letter (CPH Consultants, 1/19/2016)

All documents outlined in the Submittal Checklist must be attached.

NOTE:

FEES: All application fees are due at the time of submittal of this Final Plat Application. Please refer to the current Fees Resolution to determine the fee associated with this application.

APPLICATION SUBMITTAL: All applications **MUST BE SUBMITTED TO AND RECEIVED BY THE PERMIT DEPARTMENT** during submittal hours noted on previous page. Applications will not be accepted at the reception desk.

EVERGREEN HEIGHTS

A POR. NW, NE & SW 1/4 OF THE NW 1/4 OF SEC. 35, TWN. 28 N., RGE 6 E., W.M. AND A POR. OF THE SW 1/4, OF THE SW 1/4 OF SEC. 26, TWN. 28 N., RGE 6 E., W.M. CITY OF MONROE, SNOHOMISH COUNTY, WASHINGTON

VOLUME: PAGE:

DEDICATION

KNOWN BY ALL MEN PRESENT THAT THE QUADRANT CORPORATION, A WASHINGTON CORPORATION DO HEREBY DECLARE THIS PLAT AND DEDICATED TO THE PUBLIC FOREVER ALL ROADS AND WAYS AND OTHER PUBLIC PROPERTY SHOWN HEREON, AND THE USE THEREOF FOR ANY AND ALL PUBLIC PURPOSES, THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR CUTS AND FILLS, AND THE RIGHT TO CONTINUE TO DRAIN THE ROADS AND WAYS OVER ACROSS ANY LOT OR LOTS, WHERE WATER COURSE SO AS TO DISCHARGE COURSE IN THE ORIGINAL REASONABLE GRADING OF THE ROADS AND WAYS SHOWN HEREON, FOLLOWING ORIGINAL REASONABLE GRADING OR ROADS AND WAYS HEREON, NO DRAINAGE WATERS ON ANY LOT OR LOTS SHALL BE DIVERTED OR BLOCKED FROM THEIR NATURAL COURSE SO AS TO DISCHARGE UPON ANY PUBLIC ROAD RIGHT-OF-WAY, OR TO HAMPER PROPER ROAD DRAINAGE, ANY ENCLOSING OF DRAINAGE WATERS IN CULVERTS OR DRAINS OR REDIRECTING THEREOF ACROSS ANY LOT AS MAY BE UNDERTAKEN BY OR FOR THE OWNER OF SUCH LOT SHALL BE DONE BY AND AT THE EXPENSE OF SUCH OWNER, BUT ONLY AFTER APPROVAL BY THE CITY ENGINEER.

THE CITY'S APPROVAL OF THE PLAT AND ITS ACCEPTANCE OF THE DEDICATION HEREIN SET FORTH IS WITHOUT PREJUDICE TO THE RESPONSIBILITY AND/OR LIABILITY OF THE QUADRANT CORPORATION AND/OR ANY OTHER PARTIES WITH RESPECT TO ANY THIRD PARTY CLAIMS, SUITS AND/OR CAUSES OF ACTION THAT HAVE BEEN OR MAY IN THE FUTURE BE ASSERTED WITH RESPECT TO ALLEGED DAMAGES ARISING OUT OF OR OTHERWISE RELATED TO THE INSTALLATION AND/OR CONSTRUCTION OF THE WATER, SEWER AND STORMWATER/STORM SEWER FACILITIES LOCATED WITHIN THE ROOSEVELT ROAD PUBLIC RIGHT-OF-WAY BY OR ON BEHALF OF THE QUADRANT CORPORATION. THE QUADRANT CORPORATION EXPRESSLY ACKNOWLEDGES THAT, TO THE EXTENT IT IS RESPONSIBLE AND/OR LIABLE FOR ANY SUCH DAMAGES, ITS RESPONSIBILITY AND/OR LIABILITY IS NOT AFFECTED OR OTHERWISE LIMITED IN ANY MANNER BY THE CITY'S APPROVAL OF THE PLAT AND THE CITY'S ACCEPTANCE OF THIS DEDICATION. THE CITY EXPRESSLY RESERVES ALL RIGHTS, INCLUDING WITHOUT LIMITATION, THE RIGHT IN ITS SOLE DISCRETION TO TENDER ANY SUCH CLAIM, SUIT OR CAUSE OF ACTION TO THE QUADRANT CORPORATION, AND/OR THE QUADRANT CORPORATION'S CONTRACTOR(S). THE QUADRANT CORPORATION EXPRESSLY ACKNOWLEDGES THAT THE CITY'S DEDICATION AND ACCEPTANCE OF THE AFORE-MENTIONED WATER, SEWER AND STORMWATER/STORM SEWER FACILITIES IS WITHOUT PREJUDICE TO THIS EXCEPTION AND RESERVATION.

TRACTS OS1, OS2, OS3, PH1, TR1 AND UT1 ARE HEREBY GRANTED AND CONVEYED TO THE EVERGREEN HEIGHTS HOMEOWNERS ASSOCIATION (HOA) UPON THE RECORDING OF THIS PLAT. OWNERSHIP AND MAINTENANCE OF SAID TRACTS CONSISTENT WITH CITY CODE AND ALL APPLICABLE COVENANTS, CONDITIONS AND RESTRICTIONS DESCRIBED HEREON OR AS MAY BE SEPARATELY RECORDED SHALL BE THE RESPONSIBILITY OF THE HOA UNLESS AND UNTIL TRACT OWNERSHIP BY ALL LOTS WITHIN THIS SUBDIVISION IS AUTHORIZED PURSUANT TO A FINAL PLAT ALTERATION. USE OF SAID TRACT IS RESTRICTED TO THAT SPECIFIED IN THE APPROVED FINAL PLAT. THE HOA AND THE OWNERS OF ALL LOTS WITHIN THE SUBDIVISION SHALL COMPLY WITH THOSE CITY REGULATIONS AND CONDITIONS OF FINAL SUBDIVISION APPROVAL SPECIFIED ON THE PLAT. THE HOA AND THE OWNERS OF ALL LOTS WITHIN THE SUBDIVISION SHALL COMPLY WITH THOSE CITY REGULATIONS AND CONDITIONS OF FINAL SUBDIVISION APPROVAL SPECIFIED ON THE PLAT. THE HOA SHALL REMAIN IN EXISTENCE UNLESS AND UNTIL ALL LOTS WITHIN THIS SUBDIVISION HAVE ASSUMED COMMON OWNERSHIP OF SAID TRACT. IN THE EVENT THAT THE HOA SHOULD BE DISSOLVED, THEN EACH LOT SHALL HAVE AN EQUAL AND UNDIVIDED OWNERSHIP INTEREST IN THE TRACTS PREVIOUSLY OWNED BY THE HOA AS WELL AS RESPONSIBILITY FOR MAINTAINING SAID TRACT. MEMBERSHIP IN THE HOA AND PAYMENT OF DUES OR OTHER ASSESSMENTS FOR MAINTENANCE PURPOSES SHALL BE A REQUIREMENT OF LOT OWNERSHIP AND SHALL REMAIN AN APPURTENANCE TO AND INSEPARABLE FROM EACH LOT. THIS COVENANT SHALL BE BINDING UPON AND INURE TO THE BENEFIT OF THE OWNERS OF ALL LOTS WITHIN THE SUBDIVISION AND ALL OTHERS HAVING ANY INTEREST IN THE TRACTS OR LOTS.

IN WITNESS WHEREOF, WE SET OUR HANDS AND SEALS,
THIS _____ DAY OF _____, 2016.

THE QUADRANT CORPORATION, A WASHINGTON CORPORATION

By: _____
ITS: _____

ACKNOWLEDGMENTS

STATE OF WASHINGTON
COUNTY OF SNOHOMISH | 55

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT _____ IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT, ON OATH STATED THAT HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE _____ OF THE QUADRANT CORPORATION, A WASHINGTON CORPORATION TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED: _____
SIGNATURE: _____
(PRINT NAME) _____
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
RESIDING AT: _____
MY APPOINTMENT EXPIRES: _____

LEGAL DESCRIPTION

PARCEL 1 (TPN: 28062600301300)
THE SOUTH 330 FEET OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 28 NORTH, RANGE 6 EAST OF THE WILLAMETTE MERIDIAN;
EXCEPT THE SOUTH 160 FEET OF THE WEST 200 FEET THEREOF;
AND EXCEPT COUNTY ROAD ON WEST SIDE THEREOF.
SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

PARCEL 2 (TPN: 28063500201000)
LOT B OF CITY OF MONROE BOUNDARY LINE ADJUSTMENT FILE NO. 15-BLA-0001, RECORDED UNDER AUDITOR'S FILE NO. 201505185003, BEING A PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 28 NORTH, RANGE 6 EAST, W.M.
SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

COVENANTS, CONDITIONS AND RESTRICTIONS

THIS PLAT IS SUBJECT TO COVENANTS, CONDITIONS, AND RESTRICTIONS RECORDED UNDER SEPARATE INSTRUMENT AS SNOHOMISH COUNTY AUDITORS, FILE NO. _____

SUBDIVISION BY

 THE QUADRANT CORPORATION
14725 SE 36TH STREET, SUITE 200
BELLEVUE, WASHINGTON 98006

AUDITOR'S CERTIFICATE

FILED FOR RECORD AT THE REQUEST OF AXIS SURVEYING AND MAPPING, INC.
THIS _____ DAY OF _____, 2016, AT _____ MINUTES PAST _____ M.,
AND RECORDED IN VOLUME _____ OF PLATS, PAGE(S) _____
AFN _____ RECORDS OF SNOHOMISH COUNTY.
WASHINGTON.
By: _____
AUDITOR, SNOHOMISH COUNTY

CITY APPROVALS

CITY ENGINEER

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2016.

COMMUNITY DEVELOPMENT DIRECTOR

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2016.

CITY OF MONROE MAYOR

EXAMINED AND APPROVED THIS _____ DAY OF _____, 2016.

MAYOR _____ ATTEST: _____
CITY CLERK _____

TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT ALL STATE AND COUNTY TAXES HERETOFORE LEVIED AGAINST THE PROPERTY DESCRIBED HEREIN, ACCORDING TO THE BOOKS AND RECORDS OF MY OFFICE, HAVE BEEN FULLY PAID AND DISCHARGED, INCLUDING _____ TAXES.

TREASURER, SNOHOMISH COUNTY

By: _____
DEPUTY COUNTY TREASURER

LAND SURVEYOR'S CERTIFICATE

I, STEPHEN H. PHILLIPS, JR., A PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PLAT OF EVERGREEN HEIGHTS IS BASED ON AN ACTUAL SURVEY AND THAT THE DISTANCES, COURSES, ANGLES ARE SHOWN THEREON CORRECTLY AND THAT THE MONUMENTS HAVE BEEN SET AND LOT CORNERS STAKED ON THE GROUND AS SHOWN ON THE PLAT.


STEPHEN H. PHILLIPS, JR., PLS.
49916
CERTIFICATE NO. DATE



CITY OF MONROE REF. FILE NO. FP2016-02

	15241 NE 90TH ST REDMOND, WA 98052 TEL: 425.823-5700 FAX: 425.823-6700
	A PORTION NW, NE & SW 1/4 OF THE NW 1/4 OF SEC. 35, TWN. 28 N., RGE 6 E., W.M. AND A PORTION OF THE SW 1/4, OF THE SW 1/4 OF SEC. 26, TWN. 28 N., RGE 6 E., W.M. CITY OF MONROE, SNOHOMISH COUNTY, WASHINGTON
JOB NO. 15-116	SHEET 1 OF 7

New Business #2
AB16-094

EVERGREEN HEIGHTS

A POR. NW, NE & SW 1/4 OF THE NW 1/4 OF SEC. 35, TWN. 28 N., RGE 6 E., W.M. AND A POR. OF THE SW 1/4, OF THE SW 1/4 OF SEC. 26, TWN. 28 N., RGE 6 E., W.M. CITY OF MONROE, SNOHOMISH COUNTY, WASHINGTON

LEGAL DESCRIPTION/TITLE REPORT NOTES

LEGAL DESCRIPTION AND EASEMENTS PURSUANT TO:

CHICAGO TITLE INSURANCE COMPANY - TITLE, ORDER NO. 500035912 DATED DECEMBER 22, 2015 AT 8:00 A.M.
 UPDATE 2 - ORDER NO. 500035912, DATED APRIL 7, 2016 AT 8:00 A.M.

SCHEDULE B ITEMS

- 1 NO SEARCH HAS BEEN MADE AS TO PROPERTY TAXES AND ASSESSMENTS. PROPERTY TAXES AND ASSESSMENTS WILL BE SEARCHED UPON REQUEST.
- 2 PERTAINS TO AN EASEMENT, FOR THE PURPOSE AND RIGHTS INCIDENTAL THERETO AS GRANTED IN A DOCUMENT TO THE PUBLIC UTILITY DISTRICT NO. 1 OF SNOHOMISH COUNTY FOR THE PURPOSE OF AN ELECTRIC TRANSMISSION AND/OR DISTRIBUTION SYSTEM, AFFECTING A PORTION OF PARCEL 1 AND OTHER PROPERTY AND RECORDED UNDER RECORDING NUMBER 2336378. (TO BE EXTINGUISHED UPON RECORDING OF THIS PLAT)
- 3 PERTAINS TO MATTERS CONTAINED IN A DOCUMENT ENTITLED "AGREEMENT FOR TEMPORARY TURNAROUND EASEMENT", AFFECTING A PORTION OF PARCEL 2 AND RECORDED UNDER RECORDING NUMBER 9709250459. (TO BE EXTINGUISHED UPON RECORDING OF THIS PLAT)
- 4 PERTAINS TO MATTERS CONTAINED IN A DOCUMENT ENTITLED "AGREEMENT FOR TEMPORARY SLOPE EASEMENT", AFFECTING A PORTION OF PARCEL 2 AND RECORDED UNDER RECORDING NUMBER 9709250460. (TO BE EXTINGUISHED UPON RECORDING OF THIS PLAT)
- 5 SUBJECT TO AN EASEMENT, FOR THE PURPOSE AND RIGHTS INCIDENTAL THERETO AS GRANTED IN A DOCUMENT TO THE PUBLIC UTILITY DISTRICT NO. 1 OF SNOHOMISH COUNTY AND CTE NORTHWEST, INC. FOR THE PURPOSE OF AN ELECTRIC TRANSMISSION AND/OR DISTRIBUTION SYSTEM AFFECTING A PORTION OF PARCEL 2 AND RECORDED UNDER RECORDING NUMBER 96907078. (TO BE EXTINGUISHED UPON RECORDING OF THIS PLAT)
- 6 PERTAINS TO COVENANTS, CONDITIONS, RESTRICTIONS, RECDTALS, RESERVATIONS, EASEMENTS, EASEMENT PROVISIONS, DEDICATIONS, BUILDING SETBACK LINES, NOTES AND STATES, IF ANY, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, INCLUDING BUT NOT LIMITED TO THOSE BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTIONS IS PERMITTED BY APPLICABLE LAW, AFFECTING PARCEL 2, AS SET FORTH ON CITY OF MONROE SHORT PLAT NO. 196009 AS RECORDED UNDER RECORDING NUMBER 970410507. (SHORT PLAT CONTAINS THE FOLLOWING EASEMENTS: A BLANKET UTILITY EASEMENT, AN OFF-SITE ELECTRIC TRANSMISSION AND DISTRIBUTION EASEMENT THAT IS NOT SUFFICIENT TO PLOT AND A DRAINAGE DITCH EASEMENT THAT DOESN'T EFFECT SITE.)
- 7 SUBJECT TO AN EASEMENT, FOR THE PURPOSE AND RIGHTS INCIDENTAL THERETO AS GRANTED IN A DOCUMENT TO PUGET SOUND ENERGY, INC. FOR THE PURPOSE OF NATURAL GAS DISTRIBUTION AFFECTING A PORTION OF PARCEL 2 AND RECORDED UNDER RECORDING NUMBER 970430067. (AS CONSTRUCTED - APPROXIMATE LOCATION OFF-SITE.)
- 8 PERTAINS TO COVENANTS, CONDITIONS, RESTRICTIONS, RECDTALS, RESERVATIONS, EASEMENTS, EASEMENT PROVISIONS, DEDICATIONS, BUILDING SETBACK LINES, STATEMENTS, AND OTHER MATTERS, IF ANY, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, INCLUDING BUT NOT LIMITED TO THOSE BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTIONS IS PERMITTED BY APPLICABLE LAW, AFFECTING PARCEL 2, AS SET FORTH ON CITY OF MONROE BOUNDARY LINE ADJUSTMENT 15-BLA-0001 AND RECORDED UNDER RECORDING NUMBER 20150519000A. (CONTAINS SCHEDULE B ITEMS 1, 2 & 3. OTHER EASEMENTS SHOWN ON BLA ARE OFF-SITE.)
- 9 PERTAINS TO AN AGREEMENT FOR RECIPROCAL TEMPORARY ROADWAY AND CONSTRUCTION EASEMENTS AND THE TERMS, CONDITIONS AND PROVISIONS CONTAINED THEREIN, AFFECTING A PORTION OF PARCEL 1 AND RECORDED UNDER RECORDING NUMBER 201508060489. (PLATTED) (TO BE EXTINGUISHED UPON RECORDING OF THIS PLAT)
- 10 PERTAINS TO AN EASEMENT FOR THE PURPOSE AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT GRANTED TO PUGET SOUND ENERGY, INC. FOR THE PURPOSE OF A GAS AND/OR ELECTRIC DISTRIBUTION SYSTEM, AFFECTING A PORTION OF SAID PREMISES AS RECORDED UNDER RECORDING NUMBER 201602180219. (TO BE EXTINGUISHED UPON RECORDING OF THIS PLAT)

TRACT NOTES

- 1 UPON THE RECORDING OF THIS PLAT, TRACT PA1, AS SHOWN ON SHEET 1 OF 7 A PRIVATE ACCESS AND UTILITY TRACT IS HEREBY GRANTED AND CONVEYED TO THE OWNERS OF LOTS 53, 54 & 55 OF THIS PLAT, FOR PRIVATE UTILITIES, AND DRAINAGE FACILITIES. THE COST OF MAINTENANCE OF THE PRIVATE UTILITY AND DRAINAGE FACILITIES OVER SAID TRACT, IF ANY, SHALL BE BOURNE BY THE OWNERS OF THE LOTS BENEFITING FROM THE USE OF SAID FACILITIES.
- 2 UPON THE RECORDING OF THIS PLAT, TRACTS PR1 AND TR1, RECREATIONAL OPEN SPACES, A TRAIL AND OTHER PRIVATE AMENITIES THEREIN, ARE HEREBY GRANTED AND CONVEYED, TOGETHER WITH ALL MAINTENANCE OBLIGATIONS TO THE EVERGREEN HEIGHTS HOMEOWNERS ASSOCIATION AND ITS SUCCESSORS IN INTEREST.
- 3 TRACTS OS1, OS2, AND OS3, ALL BEING CRITICAL AREA TRACTS, ARE HEREBY GRANTED AND CONVEYED TO THE EVERGREEN HEIGHTS HOMEOWNERS ASSOCIATION AND ITS SUCCESSORS IN INTEREST TOGETHER WITH ALL MAINTENANCE RIGHTS AND RESPONSIBILITIES THEREOF. THE AREAS CONTAINED WITHIN THESE TRACTS SHALL BE MAINTAINED IN THEIR NATURAL STATE AND WITHOUT ADDITIONAL DISTURBANCE OR DEVELOPMENT FROM THAT EXISTING AT THE TIME OF CONVEYANCE. PERIODIC BUFFER MONITORING AND VEGETATION MANAGEMENT MEASURES, INCLUDING ESTABLISHMENT OF ENHANCEMENT PLANTINGS, MAY BE REQUIRED BY THE HOMEOWNERS ASSOCIATION TO MAINTAIN THESE CRITICAL AREAS IN ACCORDANCE WITH THE APPROVED CRITICAL AREAS STUDY AND BUFFER MITIGATION AND BALD EAGLE MANAGEMENT PLAN AS CONTAINED WITHIN THE COVENANTS, CONDITIONS, AND RESTRICTIONS FOR THE PLAT. IT SHALL BE THE SOLE RIGHT AND RESPONSIBILITY OF THE TRACTS MAINTENANCE TO MAINTAIN AND PROTECT THE NATIVE CONDITION OF THE CRITICAL AREA TRACTS. THE CITY OF MONROE MAY ENTER UPON AND INSPECT THE PORTION OF PRIVATE CRITICAL AREA TRACTS WITHIN THE PLAT TO ENSURE COMPLIANCE WITH APPLICABLE MUNICIPAL CODES AND CERTAIN PROVISIONS OF THE CRITICAL AREAS STUDY AND BUFFER MITIGATION AND BALD EAGLE MANAGEMENT PLAN FOR THE PLAT.
- 4 ALL LOTS ADJOINING SEPARATE TRACTS IDENTIFIED AS CRITICAL AREA TRACTS ARE JOINTLY AND SEVERALLY RESPONSIBLE FOR THE MAINTENANCE AND PROTECTION OF THE TRACTS. MAINTENANCE INCLUDES ENSURING THAT NO ALTERATION OCCURS WITHIN THE SEPARATE TRACTS AND THAT VEGETATION REMAINS UNDISTURBED UNLESS THE EXPRESS WRITTEN PERMISSION OF THE CITY OF MONROE HAS BEEN RECEIVED.
- 5 UPON THE RECORDING OF THIS PLAT, TRACT UT1 A PUBLIC UTILITY TRACT IS HEREBY GRANTED AND CONVEYED TOGETHER WITH ALL MAINTENANCE OBLIGATIONS TO THE EVERGREEN HEIGHTS HOMEOWNERS ASSOCIATION AND ITS SUCCESSORS IN INTEREST. A PERPETUAL EASEMENT IS HEREBY DEDICATED TO THE CITY OF MONROE BY WASHINGTON MUNICIPAL CORPORATION OVER SAID TRACT FOR THE PURPOSE OF CONSTRUCTING, INSTALLING, RECONSTRUCTING, REPLACING, REPAIRING, MAINTAINING AND OPERATING PUBLIC SANITARY SEWER SYSTEMS, INCLUDING PIPELINES AND ALL NECESSARY CONNECTIONS AND APPURTENANCES THERETO, TOGETHER WITH THE RIGHT OF INGRESS THERETO AND EGRESS THEREFROM.
- 6 UPON THE RECORDING OF THIS PLAT, TRACT PA2, AS SHOWN ON SHEET 5 OF 7 A PRIVATE ACCESS AND UTILITY TRACT IS HEREBY GRANTED AND CONVEYED TO THE OWNERS OF LOTS 13, 14 & 15 OF THIS PLAT, FOR PRIVATE UTILITIES, AND DRAINAGE FACILITIES. THE COST OF MAINTENANCE OF THE PRIVATE UTILITY AND DRAINAGE FACILITIES OVER SAID TRACT, IF ANY, SHALL BE BOURNE BY THE OWNERS OF THE LOTS BENEFITING FROM THE USE OF SAID FACILITIES.

SURVEYOR NOTES

PRIMARY CONTROL POINTS AND ACCESSIBLE MONUMENT POSITIONS WERE FIELD MEASURED UTILIZING GLOBAL POSITIONING SYSTEM (GPS) SURVEY TECHNIQUES USING LEICA SYSTEM 1200 EQUIPMENT. MONUMENT POSITIONS THAT WERE NOT DIRECTLY OBSERVED USING GPS SURVEY TECHNIQUES WERE TIED INTO THE CONTROL POINTS UTILIZING LEICA ELECTRONIC 1201 TOTAL STATIONS FOR THE MEASUREMENT OF BOTH ANGLES AND DISTANCES. THIS SURVEY MEETS OR EXCEEDS THE STANDARDS SET BY WACS 332-130-080/090.

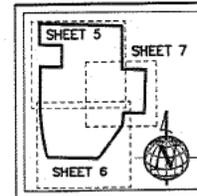
LOT CORNERS, TRACT CORNERS, AND LOT LINE INTERSECTION POINTS HAVE BEEN MONUMENTED WITH 1/2" X 24" METAL REBAR WITH YELLOW CAP, MARKED "AXIS NO. 49916", UNLESS OTHERWISE SPECIFIED.

SNOHOMISH COUNTY STANDARD MONUMENTS HAVE BEEN PLACED AT ROAD CENTERLINE AT POINT OF CURVATURE, POINT OF INTERSECTION, POINT OF TANGENCY AND INTERSECTION, AS NOTED ON THE FACE OF THE PLAT.

REFERENCES

1. THE FOOTHILLS DIVISION NO. 4, DATED DECEMBER 31ST, 1997 AND RECORDED UNDER RECORDING NUMBER 9712315004, RECORDS OF SNOHOMISH COUNTY.
2. SHORT PLAT NO. 196009 FOR DAVID W. HOLZLERLAND RECORDED IN VOLUME 4, PAGES 83-84 UNDER RECORDING NUMBER 9704105007, RECORDS OF SNOHOMISH COUNTY.
3. RECORD OF SURVEY BY LOVELL-SAUERLAND & ASSOCIATES INC. 4, RECORDED UNDER APN 201009025003, RECORDS OF SNOHOMISH COUNTY.
4. RECORD OF SURVEY FOR BOUNDARY LINE ADJUSTMENT FILE #2010-03, RECORDED UNDER APN 201008185001, RECORDS OF SNOHOMISH COUNTY.
5. RECORD OF SURVEY FOR DAVE RSMUNGER, RECORDED UNDER APN 200709275124, RECORDS OF SNOHOMISH COUNTY.
6. HOLZLERLAND BOUNDARY LINE ADJUSTMENT FILE NO. 15-BLA-0001, RECORDED UNDER APN 201505195003, RECORDS OF SNOHOMISH COUNTY.

INDEX MAP (NOT TO SCALE)



A UTILITY EASEMENT PROVISIONS

A NON-EXCLUSIVE EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO ALL UTILITIES SERVING SUBJECT PLAT, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER AN UPON THE EXTERIOR TO FEET PARALLEL WITH AND ADJOINING THE STREET FRONTAGE OF ALL LOTS, TRACTS AND COMMON AREA IN WHICH TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE AND MAINTAIN UNDERGROUND CONDUITS, CABLES, PIPE, AND WRES WITH NECESSARY FACILITIES AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC, TELEPHONE, GAS, TELEVISION CABLE AND OTHER UTILITY SERVICES TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS, TRACTS AND COMMON AREAS AT ALL TIMES FOR THE PURPOSES HEREON STATED. DRAINAGE EASEMENTS DESIGNATED ON THE PLAT ARE HEREBY RESERVED FOR AND GRANTED TO THE CITY OF MONROE, EXCEPT THOSE DESIGNATED ON THE PLAT AS PRIVATE EASEMENTS, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS AND THE RIGHT TO EXCAVATE, CONSTRUCT, OPERATE, MAINTAIN, REPAIR AND/OR REBUILD AN ENCLOSED OR OPEN CHANNEL STORM WATER CONVEYANCE SYSTEM AND/OR OTHER DRAINAGE FACILITIES, UNDER, UPON OR THROUGH THE DRAINAGE EASEMENT.

THE LOCATION OF SAID EASEMENT IS GRAPHICALLY DEPICTED AND IDENTIFIED HEREON AS THIS SYMBOL [A].

B DRAINAGE VAULT & ACCESS EASEMENT

A STORM DRAINAGE VAULT, TREATMENT VAULT, ALL ASSOCIATED PIPES AND CATCH BASIN STRUCTURES AND ACCESS EASEMENT AS SHOWN OVER LOTS 26, 27 & 28 ARE HEREBY GRANTED AND CONVEYED TO THE CITY OF MONROE. THE CITY SHALL BE RESPONSIBLE FOR THE PROPER OPERATION AND REGULAR MAINTENANCE OF THE STORM DRAINAGE FACILITIES WITHIN THE EASEMENT AREA IN ACCORDANCE WITH THE OPERATIONS AND MAINTENANCE MANUAL AND OTHER APPLICABLE PROVISIONS CONTAINED IN THE COVENANTS, CONDITIONS AND RESTRICTIONS.

THE LOCATION OF SAID EASEMENT IS GRAPHICALLY DEPICTED AND IDENTIFIED HEREON AS THIS SYMBOL [B].

C MONUMENT SIGN EASEMENT

A MONUMENT SIGN EASEMENT AS SHOWN OVER LOT 67 IS HEREBY GRANTED AND CONVEYED TO THE EVERGREEN HOMEOWNERS ASSOCIATION FOR LANDSCAPING AND SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF SAID LANDSCAPING WITHIN SAID EASEMENT.

THE LOCATION OF SAID EASEMENT IS GRAPHICALLY DEPICTED AND IDENTIFIED HEREON AS THIS SYMBOL [C].

D ROOSEVELT ROAD LANDSCAPING MAINTENANCE PROVISIONS

LANDSCAPING IMPROVEMENTS INSTALLED WITH THIS PROJECT WITHIN THE ROOSEVELT ROAD PUBLIC RIGHT-OF-WAY SHALL BE OWNED BY THE CITY OF MONROE. THE EVERGREEN HEIGHTS HOMEOWNERS ASSOCIATION SHALL MAINTAIN SAID RIGHT-OF-WAY LANDSCAPING UNLESS AND UNTIL SUCH TIME AS THE CITY OF MONROE ACCEPTS MAINTENANCE RESPONSIBILITIES FOR THE IMPROVEMENTS.

THE LOCATION OF SAID EASEMENT IS GRAPHICALLY DEPICTED AND IDENTIFIED HEREON AS THIS SYMBOL [D].

CITY OF MONROE REF. FILE NO. FP2016-02

Axis
Survey & Mapping

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REDMOND, WA 98052
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A PORTION NW, NE & SW 1/4 OF THE NW 1/4
OF SEC. 35, TWN. 28 N., RGE. 6 E., W.M.
AND A PORTION OF THE SW 1/4, OF THE SW 1/4
OF SEC. 26, TWN. 28 N., RGE. 6 E., W.M.
CITY OF MONROE, SNOHOMISH COUNTY, WASHINGTON

JOB NO. 15-118
SHEET 2 OF 7

New Business #2
AB16-094

EVERGREEN HEIGHTS

A POR. NW, NE & SW 1/4 OF THE NW 1/4 OF SEC. 35, TWN. 28 N., RGE 6 E., W.M. AND A POR. OF THE SW 1/4, OF THE SW 1/4 OF SEC. 26, TWN. 28 N., RGE 6 E., W.M. CITY OF MONROE, SNOHOMISH COUNTY, WASHINGTON

PRIVATE STORM DRAINAGE EASEMENTS

- 1 THE 10 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOT 2 IS HEREBY GRANTED AND CONVEYED TO THE OWNERS OF LOTS 1 & 3. THE OWNERS OF LOTS 1, 2 & 3 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE STORM DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITY OF THE PRIVATE STORM DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
- 2 THE 10 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOTS 5, 6 & 7 IS HEREBY GRANTED AND CONVEYED TO THE OWNERS OF LOTS 4, 5, 6, 7 & 8. THE OWNERS OF LOTS 4 THROUGH 8 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE STORM DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITY OF THE PRIVATE STORM DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
- 3 THE 10 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOTS 10 & 11 IS HEREBY GRANTED AND CONVEYED TO THE OWNERS OF LOTS 9, 10, 11 & 12. THE OWNERS OF LOTS 9 THROUGH 12 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE STORM DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITY OF THE PRIVATE STORM DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
- 4 THE 20 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOT 13, 14 & TRACT PA2 IS HEREBY GRANTED AND CONVEYED TO THE OWNERS OF LOTS 13, 14 & 15. THE OWNERS OF LOTS 13, 14 & 15 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE STORM DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITY OF THE PRIVATE STORM DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
- 5 THE 10 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOT 17 IS HEREBY GRANTED AND CONVEYED TO THE OWNER OF LOT 16. THE OWNERS OF LOTS 16 & 17 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE STORM DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITY OF THE PRIVATE STORM DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
- 6 THE 10 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOTS 19, 20 & 21 IS HEREBY GRANTED AND CONVEYED TO THE OWNERS OF LOTS 18, 19, 20 & 21. THE OWNERS OF LOTS 18 THROUGH 21 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE STORM DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITY OF THE PRIVATE STORM DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
- 7 THE 10 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOTS 23 & 24 IS HEREBY GRANTED AND CONVEYED TO THE OWNERS OF LOTS 22, 23, 24 & 25. THE OWNERS OF LOTS 22 THROUGH 25 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE STORM DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITY OF THE PRIVATE STORM DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
- 8 THE 10 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOTS 29 IS HEREBY GRANTED AND CONVEYED TO THE OWNERS OF LOTS 28 & 29. THE OWNERS OF LOTS 28 & 29 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE STORM DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITY OF THE PRIVATE STORM DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
- 9 THE 10 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOTS 31 & 32 IS HEREBY GRANTED AND CONVEYED TO THE OWNERS OF LOTS 30, 31, 32 & 33. THE OWNERS OF LOTS 30 THROUGH 33 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE STORM DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITY OF THE PRIVATE STORM DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
- 10 THE 10 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOTS 34, 35 & TRACT UT IS HEREBY GRANTED AND CONVEYED TO THE OWNERS OF LOTS 33, 35, 36 & TRACT UT. THE OWNERS OF LOTS 34 THROUGH 36 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE STORM DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITY OF THE PRIVATE STORM DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
- 11 THE 10 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOT 37 IS HEREBY GRANTED AND CONVEYED TO THE OWNER OF LOT 38. THE OWNERS OF LOTS 37 & 38 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE STORM DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITY OF THE PRIVATE STORM DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
- 12 THE 10 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOTS 40, 41 & 42 IS HEREBY GRANTED AND CONVEYED TO THE OWNERS OF LOTS 40, 41, 42 & 43. THE OWNERS OF LOTS 40 THROUGH 43 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE STORM DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITY OF THE PRIVATE STORM DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
- 13 THE 10 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOTS 45, 46, 47, 48 & 49 IS HEREBY GRANTED AND CONVEYED TO THE OWNERS OF LOTS 44, 45, 46, 47, 48, 49 & 50. THE OWNERS OF LOTS 44 THROUGH 50 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE STORM DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITY OF THE PRIVATE STORM DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.

PRIVATE STORM DRAINAGE EASEMENTS - CONTINUED

- 14 THE 10 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOT 51 IS HEREBY GRANTED AND CONVEYED TO THE OWNERS OF LOT 52. THE OWNERS OF LOTS 51 & 52 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE STORM DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITY OF THE PRIVATE STORM DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
- 15 THE 10 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOTS 55, 56 & TRACT PA1 IS HEREBY GRANTED AND CONVEYED TO THE OWNERS OF LOTS 53, 54, 55, 56 & 57. THE OWNERS OF LOTS 53 THROUGH 57 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE STORM DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITY OF THE PRIVATE STORM DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
- 16 THE 5 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOT 47 ALONG THE COMMON LINE WITH LOT 48, AND ALONG THE REAR YARD AREA OF LOTS 44, 45, 46, 47, AND 51 ARE HEREBY GRANTED TO THE OWNERS OF LOTS 44, 45, 46, 47, AND 51 IN COMMON. EACH LOT OWNER SHALL BE RESPONSIBLE FOR MAINTAINING IN GOOD WORKING ORDER THE PRIVATE DRAINAGE EASEMENT AREA AND STORM DRAINAGE FACILITIES CONTAINED THEREON ON THEIR INDIVIDUAL PARCEL. ALL LOT OWNERS SHALL SHARE THE RESPONSIBILITY AND COST OF MAINTENANCE OF ALL STORM DRAINAGE FACILITIES USED IN COMMON.
- 17 THE 10 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOTS 60 & 61 IS HEREBY GRANTED AND CONVEYED TO THE OWNERS OF LOTS 59, 60, 61 & 62. THE OWNERS OF LOTS 59 THROUGH 62 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE STORM DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITY OF THE PRIVATE STORM DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
- 18 THE 10 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON LOTS 64, 65 & 66 IS HEREBY GRANTED AND CONVEYED TO THE OWNERS OF LOTS 63, 64, 65, 66 & 67. THE OWNERS OF LOTS 63 THROUGH 67 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE STORM DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITY OF THE PRIVATE STORM DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
- 19 THE 10 FOOT PRIVATE STORM DRAINAGE EASEMENT SHOWN ON THE FRONT OF LOTS 69 & 70, AND THE 5 FOOT PRIVATE STORM DRAINAGE EASEMENT OVER THE REAR YARD AREA OF LOTS 68, 69, 70, AND 71 ARE HEREBY GRANTED AND CONVEYED TO THE OWNERS OF LOTS 68, 69, 70 & 71. THE OWNERS OF LOTS 68 THROUGH 71 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE STORM DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITY OF THE PRIVATE STORM DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
- 20 ALL LOTS ARE HEREBY SUBJECT TO AN EASEMENT 2.50 FEET IN WIDTH PARALLEL WITH AND ABUTTING ALL INTERIOR LOT LINES AND A MINIMUM OF 5.00 FEET IN WIDTH PARALLEL WITH AND ABUTTING ALL REAR LOT LINES FOR THE PURPOSE OF PRIVATE STORM DRAINAGE. IN THE EVENT A LOT LINE ADJUSTMENT IS APPROVED BY THE CITY AFTER THE RECORDING OF THIS PLAT, THE EASEMENT SHALL MOVE WITH THE ADJUSTED LOT LINES. MAINTENANCE OF ALL PRIVATE STORM DRAINAGE EASEMENTS ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE LOTS AND/OR TRACTS DERIVING BENEFIT FROM SAID EASEMENT. NO STRUCTURES OTHER THAN FENCES, WALLS OR YARD DRAINS SHALL BE CONSTRUCTED WITHIN THESE EASEMENTS. THESE EASEMENTS HAVE NOT BEEN DEPICTED HEREIN.

PRIVATE ACCESS EASEMENTS

- ▲ A 20' PRIVATE ACCESS AND UTILITY EASEMENT OVER THAT PORTION OF LOT 14 AND TRACT PA2, AS GRAPHICALLY DEPICTED HEREIN, IS HEREBY GRANTED AND CONVEYED TO THE OWNERS OF LOTS 13, 14 & 15 UPON RECORDING OF THE PLAT. THE MAINTENANCE OF THE ROADWAY WITHIN SAID EASEMENT IS THE RESPONSIBILITY OF LOTS 13, 14 & 15.
- ▲ A 15' PRIVATE ACCESS AND UTILITY EASEMENT OVER THAT PORTION OF LOT 27 OF THIS PLAT, AS GRAPHICALLY DEPICTED HEREIN, IS HEREBY GRANTED AND CONVEYED TO THE OWNERS OF LOTS 26 & 27 UPON RECORDING OF THE PLAT. THE MAINTENANCE OF THE ROADWAY WITHIN SAID EASEMENT IS THE RESPONSIBILITY OF THE HOA.
- ▲ A PRIVATE ACCESS AND UTILITY EASEMENT OVER TRACT PA1 OF THIS PLAT, AS GRAPHICALLY DEPICTED HEREIN, IS HEREBY GRANTED AND CONVEYED TO THE OWNERS OF LOTS 53, 54 & 55 UPON RECORDING OF THE PLAT. THE MAINTENANCE OF THE ROADWAY WITHIN SAID EASEMENT IS THE RESPONSIBILITY OF LOTS 53, 54 & 55.

PRIVATE SANITARY SEWER EASEMENTS

- 1 A PRIVATE SANITARY SEWER EASEMENT AS SHOWN ON LOT 6 IS HEREBY GRANTED AND CONVEYED TO THE OWNERS OF ADJACENT TAX PARCEL NUMBER 28062600301800 FOR THE PURPOSE OF ALLOWING A SANITARY SEWER SERVICE EXTENSION FROM THE PUBLIC SEWER MAIN OVER THAT PORTION OF LOT 6. THE PRIVATE SEWER SERVICE FACILITIES WITHIN THIS EASEMENT AREA ARE SHARED WITH COMMON OWNERSHIP AND EQUAL MAINTENANCE RESPONSIBILITIES BETWEEN THE OWNERS OF LOT 6 AND TAX PARCEL NUMBER 28062600301800. IN THE EVENT THAT TAX PARCEL NUMBER 28062600301800 IS FURTHER SUBDIVIDED, THIS PRIVATE SANITARY SEWER EASEMENT AND FACILITIES THEREIN SHALL CONVERT TO PUBLIC OWNERSHIP WITH ALL STANDARD AND APPLICABLE TERMS AND CONDITIONS, INCLUDING ACCESS ROADWAY WIDTH AND SURFACING MATERIALS, UPON DEMAND BY THE CITY OF MONROE PUBLIC WORKS DEPARTMENT.
- 2 A 20' PRIVATE SANITARY SEWER EASEMENT SHOWN ON LOT 14 & TRACT PA2 IS HEREBY GRANTED AND CONVEYED TO THE OWNERS OF LOTS 13, 14 & 15. THE OWNERS OF LOTS 13, 14 & 15 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE SANITARY SEWER DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITY OF THE PRIVATE SANITARY SEWER DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
- 3 A PRIVATE SANITARY SEWER EASEMENT SHOWN ON LOTS 27 & 28 IS HEREBY GRANTED AND CONVEYED TO THE OWNERS OF LOTS 25, 27 & 28. THE OWNERS OF LOTS 25, 27 & 28 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE SANITARY SEWER DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITY OF THE PRIVATE SANITARY SEWER DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.
- 4 A PRIVATE SANITARY SEWER EASEMENT SHOWN OVER TRACT PA1 IS HEREBY GRANTED AND CONVEYED TO THE OWNERS OF LOTS 53, 54 & 55. THE OWNERS OF LOTS 53, 54 & 55 ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE SANITARY SEWER DRAINAGE FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITY OF THE PRIVATE SANITARY SEWER DRAINAGE FACILITIES USED IN COMMON WITHIN SAID EASEMENT.

LOT ADDRESSES

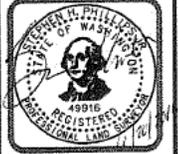
LOT ADDRESS	LOT ADDRESS
1 16324 131ST STREET SE	38 13305 165TH AVE SE
2 16330 131ST STREET SE	39 16532 WHITE MOUNTAIN RD SE
3 16358 131ST STREET SE	40 16540 WHITE MOUNTAIN RD SE
4 16362 131ST STREET SE	41 16544 WHITE MOUNTAIN RD SE
5 13124 164TH AVE SE	42 16548 WHITE MOUNTAIN RD SE
6 13136 164TH AVE SE	43 16556 WHITE MOUNTAIN RD SE
7 13142 164TH AVE SE	44 16555 WHITE MOUNTAIN RD SE
8 13154 164TH AVE SE	45 16549 WHITE MOUNTAIN RD SE
9 13160 164TH AVE SE	46 16545 WHITE MOUNTAIN RD SE
10 13176 164TH AVE SE	47 16541 WHITE MOUNTAIN RD SE
11 13184 164TH AVE SE	48 16533 WHITE MOUNTAIN RD SE
12 13202 164TH AVE SE	49 16529 WHITE MOUNTAIN RD SE
13 13210 164TH AVE SE	50 16513 WHITE MOUNTAIN RD SE
14 16323 WHITE MOUNTAIN RD SE	51 13221 165TH AVE SE
15 16339 WHITE MOUNTAIN RD SE	52 13199 165TH AVE SE
16 16321 WHITE MOUNTAIN RD SE	53 13181 165TH AVE SE
17 13242 164TH AVE SE	54 13185 164TH AVE SE
18 13250 164TH AVE SE	55 13181 164TH AVE SE
19 13266 164TH AVE SE	56 13177 164TH AVE SE
20 13278 164TH AVE SE	57 13186 164TH AVE SE
21 13294 164TH AVE SE	58 13222 165TH AVE SE
22 13310 164TH AVE SE	59 13209 164TH AVE SE
23 13336 164TH AVE SE	60 13203 164TH AVE SE
24 13342 164TH AVE SE	61 13189 164TH AVE SE
25 13358 164TH AVE SE	62 13177 164TH AVE SE
26 16340 134TH STREET SE	63 13169 164TH AVE SE
27 16354 134TH STREET SE	64 13163 164TH AVE SE
28 16372 134TH STREET SE	65 13145 164TH AVE SE
29 16386 134TH STREET SE	66 13137 164TH AVE SE
30 16404 134TH STREET SE	67 13119 164TH AVE SE
31 16412 134TH STREET SE	68 16520 131TH STREET SE
32 16430 134TH STREET SE	69 16427 134TH STREET SE
33 16446 134TH STREET SE	70 16400 134TH STREET SE
34 13353 165TH AVE SE	71 16379 134TH STREET SE
35 13347 165TH AVE SE	TRACT OS1 16400 WHITE MOUNTAIN RD SE
36 13331 165TH AVE SE	TRACT OS2 13281 165TH AVE SE
37 13313 165TH AVE SE	TRACT OS3 16500 131ST STREET SE

IRRIGATION 16420 WHITE MOUNTAIN RD SE

CITY OF MONROE REF. FILE NO. FP2016-02



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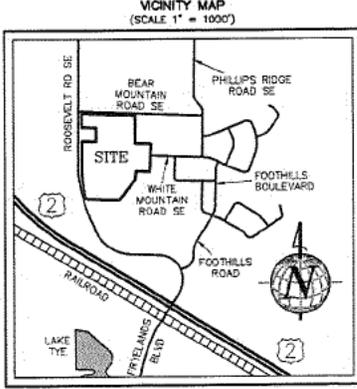
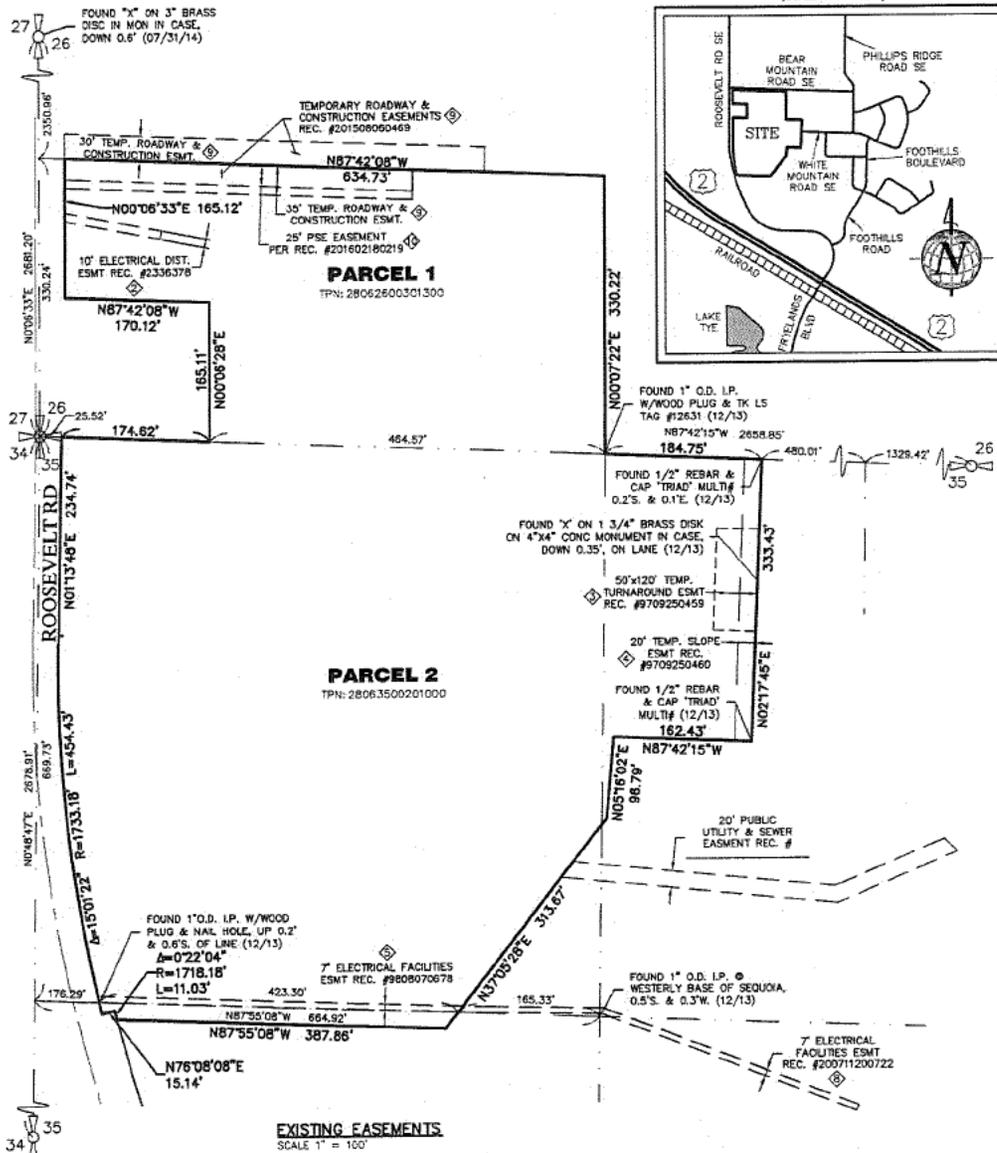
A PORTION NW, NE & SW 1/4 OF THE NW 1/4 OF SEC. 35, TWN. 28 N., RGE 6 E., W.M. AND A PORTION OF THE SW 1/4, OF THE SW 1/4 OF SEC. 26, TWN. 28 N., RGE 6 E., W.M. CITY OF MONROE, SNOHOMISH COUNTY, WASHINGTON

New Business #2
ABI6-094

EVERGREEN HEIGHTS

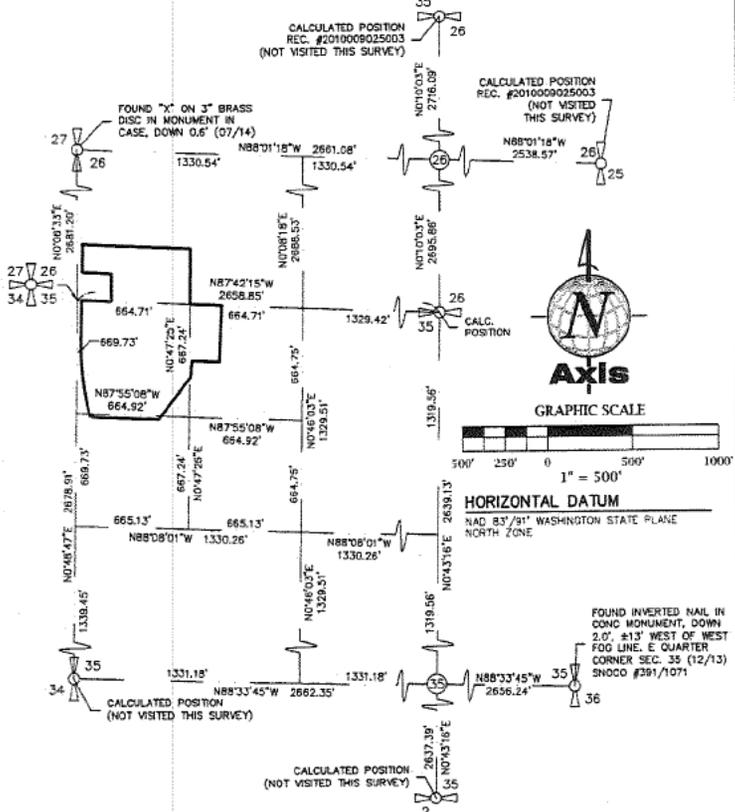
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VOLUME: PAGE:



SECTION SUBDIVISION

SCALE 1" = 500'



New Business #2
AB16-094

CITY OF MONROE REF. FILE NO. FP2016-02

Axis
Survey & Mapping

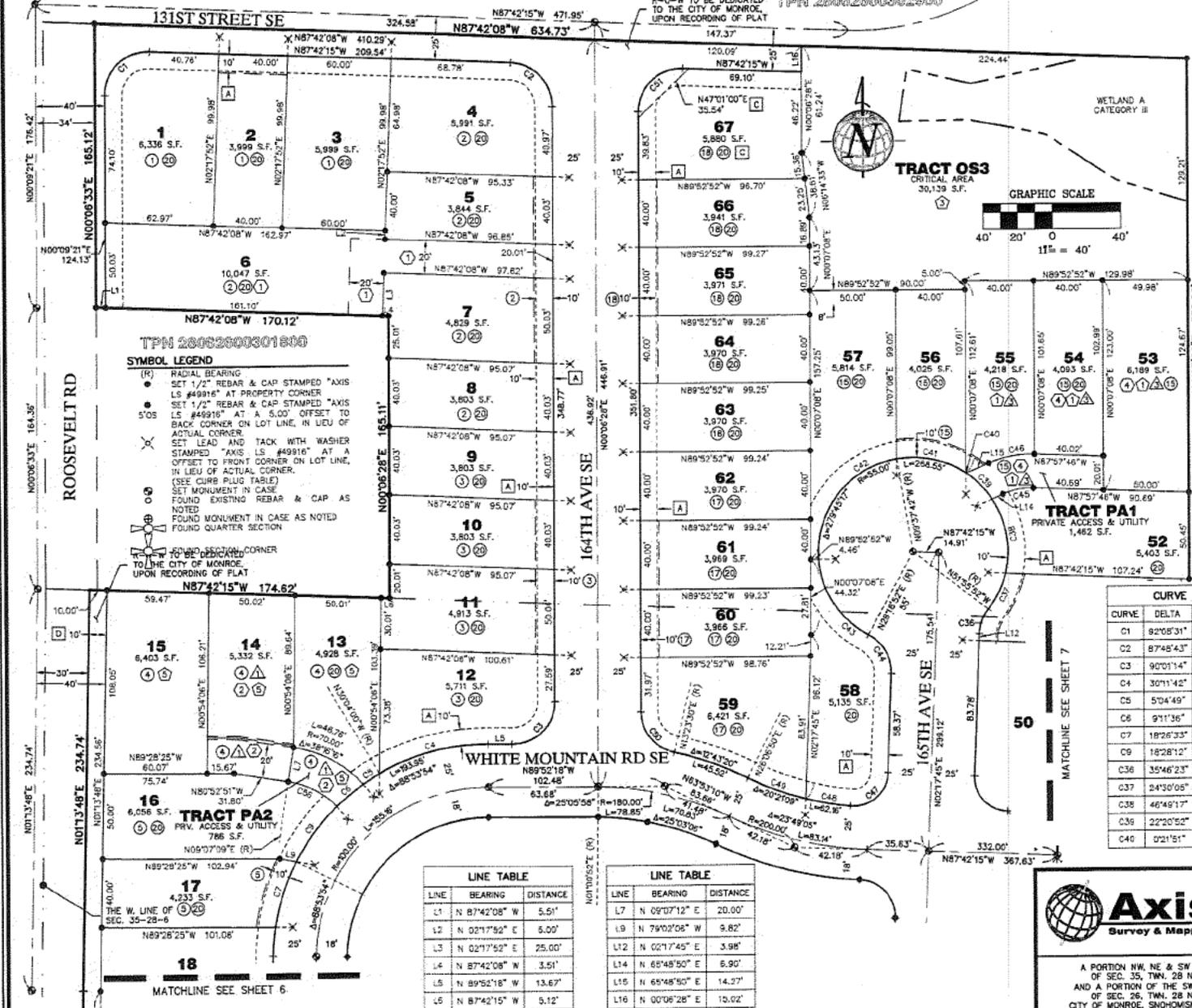
15241 NE 90TH ST
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A PORTION NW, NE & SW 1/4 OF THE NW 1/4 OF SEC. 35, TWN. 28 N., RGE 6 E., W.M. AND A PORTION OF THE SW 1/4, OF THE SW 1/4 OF SEC. 35, TWN. 28 N., RGE 6 E., W.M. CITY OF MONROE, SNOHOMISH COUNTY, WASHINGTON

JOB NO. 15-118
SHEET 4 OF 7

EVERGREEN HEIGHTS

A POR. NW, NE & SW 1/4 OF THE NW 1/4 OF SEC. 35, TWN. 28 N., RGE 6 E., W.M. AND A POR. OF THE SW 1/4, OF THE SW 1/4 OF SEC. 26, TWN. 28 N., RGE 6 E., W.M. CITY OF MONROE, SNOHOMISH COUNTY, WASHINGTON



BASIS OF BEARINGS
 HELD SECTION 26 BREAKDOWN PER PLAT OF ROOSEVELT RIDGE, AS REFERENCED IN RECORD OF SURVEY AS RECORDED UNDER RECORDING NUMBER 201009025003 & SECTION 35 BREAKDOWN PER SHORT PLAT NUMBER 196009 AS RECORDED UNDER RECORDING NUMBER 9704105007.

- PROPOSED EASEMENT LEGEND**
- (1) PRIVATE STORM DRAINAGE EASEMENT
 - (A) PRIVATE ACCESS & UTILITY EASEMENT
 - (S) PRIVATE SANITARY SEWER EASEMENT
 - (B) PUBLIC UTILITY EASEMENT
 - (X) DRAINAGE VAULT & ACCESS EASEMENT
 - (C) MONUMENT & SIGNAGE EASEMENT
 - (N) TRACT NOTES

CURB PLUG TABLE

LOT(S)	O/S DIST	LOT(S)	O/S DIST
1/2	9.74	49/50	9.60'
2/3	9.73	50/51	9.63'
3/4	9.74	51/52	10.10'
4/5	9.73	52/PA1	10.11'
5/6	9.74	55/56	12.64'
6/7	9.75	56/57	9.97'
7/8	9.80	57/58	9.81'
8/9	9.85	58/59	9.81'
9/10	9.82	59/60	9.69'
10/11	9.81	60/61	9.72'
11/12	9.76	61/62	9.73'
12/13	11.53	62/63	9.68'
13/PA2	9.77	63/64	9.70'
PA2/16	10.10	64/65	9.71'
16/17	10.64	65/66	9.70'
17/18	10.07	66/67	9.68'

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH
C1	82°05'31"	25.00	40.20
C2	87°45'43"	25.00	38.32
C3	90°01'14"	25.00	39.28
C4	30°11'42"	125.00	65.88
C5	50°44'49"	125.00	11.08
C6	91°11'36"	125.00	20.05
C7	18°25'33"	125.00	40.24
C8	18°28'12"	125.00	40.30
C9	91°11'36"	125.00	20.05
C10	24°30'05"	55.00	23.52
C11	22°20'52"	55.00	21.45
C12	02°15'11"	55.00	0.35

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 87°42'08" W	5.51'
L2	N 02°17'52" E	5.00'
L3	N 02°17'52" E	25.00'
L4	N 87°42'08" W	3.51'
L5	N 89°52'18" W	13.67'
L6	N 87°42'15" W	5.12'

LINE TABLE

LINE	BEARING	DISTANCE
L7	N 09°07'12" E	20.00'
L8	N 79°02'08" W	9.82'
L9	N 02°17'45" E	3.98'
L10	N 68°48'50" E	6.90'
L11	N 68°48'50" E	14.37'
L12	N 00°06'28" E	10.02'

New Business #2 AB16-094

Axis
 Survey & Mapping
 15241 NE 90TH ST
 REDMOND, WA 98052
 TEL: 425.833.5700
 FAX: 425.833.6700

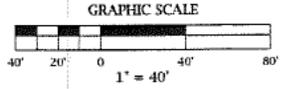
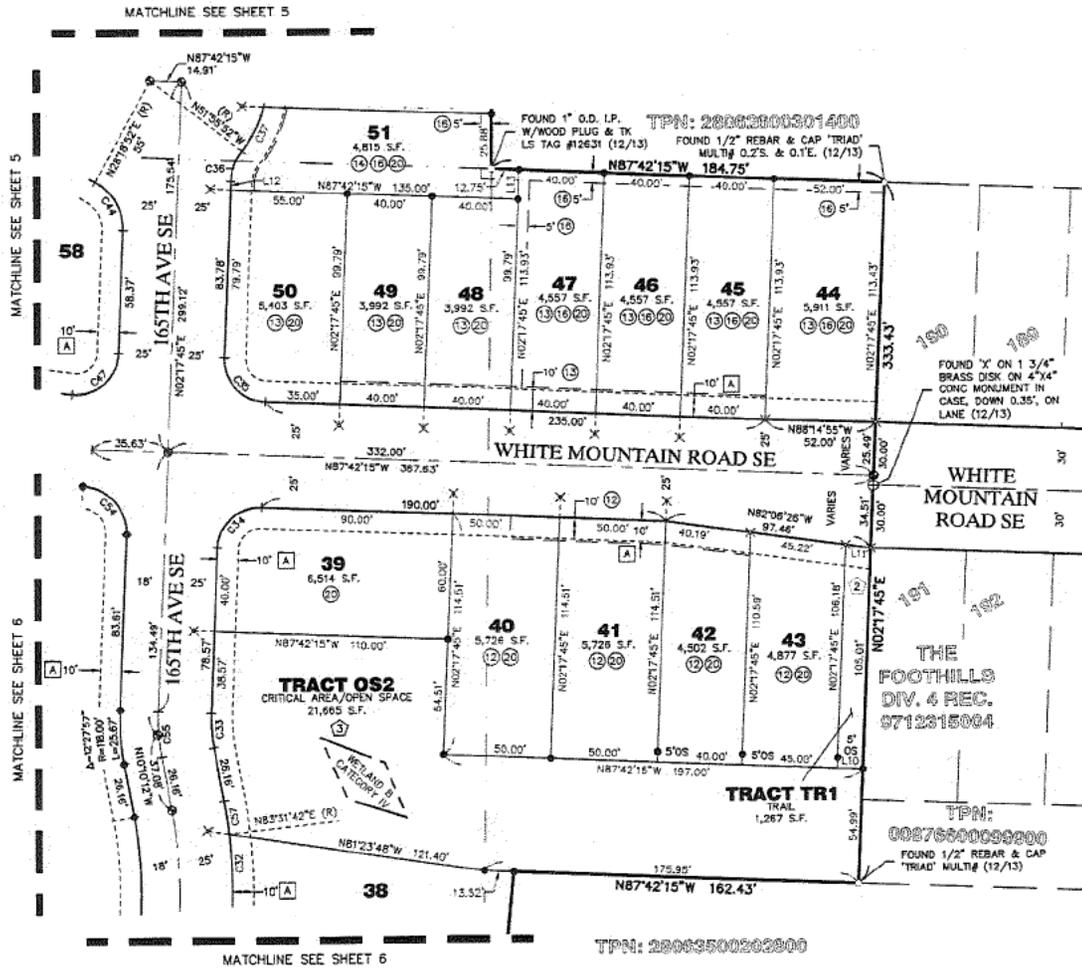
A PORTION NW, NE & SW 1/4 OF THE NW 1/4 OF SEC. 35, TWN. 28 N., RGE 6 E., W.M. AND A PORTION OF THE SW 1/4, OF THE SW 1/4 OF SEC. 26, TWN. 28 N., RGE 6 E., W.M. CITY OF MONROE, SNOHOMISH COUNTY, WASHINGTON



EVERGREEN HEIGHTS

A POR. NW, NE & SW 1/4 OF THE NW 1/4 OF SEC. 35, TWN. 28 N., RGE 6 E., W.M. AND A POR. OF THE SW 1/4, OF THE SW 1/4 OF SEC. 26, TWN. 28 N., RGE 6 E., W.M. CITY OF MONROE, SNOHOMISH COUNTY, WASHINGTON

VOLUME: PAGE:



CURVE	DELTA	RADIUS	LENGTH
C32	92°1'33"	250.00	40.84
C33	12°27'57"	75.00	16.32
C34	90°00'00"	20.00	31.42
C35	90°00'00"	20.00	31.42
C36	35°46'23"	25.00	15.61
C37	24°30'05"	55.00	23.52
C44	62°58'54"	25.00	27.92
C47	93°27'57"	20.00	32.63
C54	88°57'24"	22.00	34.16
C57	3°41'54"	250.00	16.14

LINE	BEARING	DISTANCE
L10	N 87°42'15" W	12.00'
L11	N 82°06'21" W	12.06'
L12	N 02°17'45" E	3.98'
L13	N 02°17'45" E	14.14'

BASIS OF BEARINGS
 HELD SECTION 26 BREAKDOWN PER PLAT OF ROOSEVELT BRIDGE, AS REFERENCED IN RECORD OF SURVEY AS RECORDED UNDER RECORDING NUMBER 201009025003 & SECTION 35 BREAKDOWN PER SHORT PLAT NUMBER 196009 AS RECORDED UNDER RECORDING NUMBER 9704105007.

- SYMBOL LEGEND**
- (R) RADIAL BEARING
 - SET 1/2" REBAR & CAP STAMPED "AXIS LS #49916" AT PROPERTY CORNER
 - SET 1/2" REBAR & CAP STAMPED "AXIS LS #49916" AT A "LOC" OFFSET TO BACK CORNER ON LOT LINE, IN LIEU OF ACTUAL CORNER.
 - ⊗ SET LEAD AND TACK WITH WASHER STAMPED "AXIS LS #49916" AT A OFFSET TO FRONT CORNER ON LOT LINE, IN LIEU OF ACTUAL CORNER.
 - ⊙ (SEE CURB PLUG TABLE) SET MONUMENT IN CASE FOUND EXISTING REBAR & CAP AS NOTED
 - ⊙ FOUND MONUMENT IN CASE AS NOTED
 - ⊙ FOUND QUARTER CORNER
 - ⊙ FOUND SECTION CORNER

- PROPOSED EASEMENT LEGEND**
- Ⓜ PRIVATE STORM DRAINAGE EASEMENT
 - Ⓜ PRIVATE ACCESS & UTILITY EASEMENT
 - Ⓜ PRIVATE SANITARY SEWER EASEMENT
 - Ⓜ PUBLIC UTILITY EASEMENT
 - Ⓜ DRAINAGE VAULT & ACCESS EASEMENT
 - Ⓜ MONUMENT & SIGNAGE EASEMENT
 - Ⓜ TRACT NOTES

LOT(S)	O/S DIST	LOT(S)	O/S DIST
38/052	10.22'	44/45	0.0'
052/39	9.80'	45/46	9.72'
39/40	9.57'	46/47	9.65'
40/41	9.60'	47/48	9.64'
41/42	9.54'	48/49	9.65'
42/43	0.0'	49/50	9.60'
43/191	0.0'	50/51	9.63'
191/BNDY	0.0'	51/52	10.10'
BNDY/44	0.0'		

CITY OF MONROE REF. FILE NO. FP2016-02

Axis
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FAX 425.823-6700

A PORTION NW, NE & SW 1/4 OF THE NW 1/4 OF SEC. 35, TWN. 28 N., RGE 6 E., W.M. AND A PORTION OF THE SW 1/4, OF THE SW 1/4 OF SEC. 26, TWN. 28 N., RGE 6 E., W.M. CITY OF MONROE, SNOHOMISH COUNTY, WASHINGTON

JOB NO. 15-118
SHEET 7 OF 7

New Business #2 AB16-094

**CITY OF MONROE
RESOLUTION NO. 010/2015**

A RESOLUTION BY THE MONROE CITY COUNCIL
ADOPTING THE HEARING EXAMINER'S FINDINGS OF
FACT, CONCLUSIONS OF LAW, RECOMMENDATIONS,
AND CONDITIONS OF APPROVAL FOR THE
HOLZERLAND PRELIMINARY PLAT/PRELIMINARY
PLANNED RESIDENTIAL DEVELOPMENT (PRD) (14-
SDPL-0002 & 14-PLPR-0002)

WHEREAS, Quadrant Homes submitted an application for a Preliminary Plat/Preliminary Planned Residential Development (PRD) (14-SDPL-0002 & 14-PLPR-0002), commonly known as Holzerland, for the subdivision of approximately 15.5 acres located in the vicinity of 13411 Roosevelt Road into 71 single-family lots; and

WHEREAS, the Hearing Examiner for the City of Monroe did hold a public hearing on April 16, 2015, regarding said proposed Holzerland Preliminary Plat/Preliminary PRD (14-SDPL-0002 & 14-PLPR-0002); and

WHEREAS, the Hearing Examiner for the City of Monroe, upon due consideration and through the development of Findings of Fact, Conclusions of Law, and Conditions of Approval, recommended to the City Council on April 30, 2015, that said Holzerland Preliminary Plat/Preliminary PRD (14-SDPL-0002 & 14-PLPR-0002) be approved with conditions; and

WHEREAS, the City Council has considered the recommendations of the Hearing Examiner and has determined to approve said Findings of Fact, Conclusions of Law, and Conditions of Approval for said Preliminary Plat/Preliminary PRD (14-SDPL-0002 & 14-PLPR-0002).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROE DOES RESOLVE AS FOLLOWS:

Section 1. The Hearing Examiner's Findings of Fact, Conclusions of Law, and Recommendation of Approval for the Holzerland Preliminary Plat/PRD (14-SDPL-0002 & 14-PLPR-0002) attached hereto as Exhibit A are hereby adopted. The City Council further adopts as findings the above recitals, and hereby enters the following additional findings and conclusions:

- A. The Preliminary Plat/PRD has been processed in material compliance with all applicable state and local procedures.
- B. As conditioned, the Preliminary Plat/PRD satisfies all applicable state and local criteria for approval, including without limitation: (i) RCW 58.17.110 and

all other relevant provisions of Chapter 58.17 RCW; (ii) Chapter 21.50 MMC; Chapter 18.84 MMC; and Title 17 MMC.

- C. As conditioned, the Preliminary Plat/PRD is in conformity with all applicable zoning ordinances and other land use controls.
- D. As conditioned, the Preliminary Plat/PRD will adequately mitigate the impacts of the project as required and allowed by applicable state and local regulations.
- E. The area, location and features property interests dedicated under the Preliminary Plat/PRD are a direct result of the development proposal, are reasonably necessary to mitigate the effects of development, and are proportional to the impacts created by the development.
- F. The public interest will be served by approval of the Preliminary Plat/PRD.

Section 2. The Holzerland Preliminary Plat/PRD set forth in Exhibit B is hereby approved subject to the following conditions:

1. The BLA referenced at page 2 of the staff report dated April 9, 2015 shall be recorded prior to issuance of a clearing/forest practices permit by the City.
2. The applicant shall submit housing elevation drawings (similar to those provided at the preliminary stage) concurrent with building permit submittal demonstrating compliance with the housing standards per MMC 18.84.080(G).
3. The applicant shall provide a copy of the Covenants, Conditions, and Restrictions (CC&R's) to the City for review at the time of submittal of final PRD per MMC 18.84.080(E).
4. The applicant shall record the wetland monitoring requirements in a form approved by the City for awareness/responsibility to subsequent purchasers of the property as per MMC 20.05.070(E) at the time of final plat.
5. Additional recreational amenities shall be provided in Tract PR1 such as tables, benches, landscaping, play fields, equipment, etc. in order to satisfy MMC 18.84.080(I)(10) and 18.84.120(B)(3) and shall be accessible via trails. These improvements shall be coordinated with and approved by the Monroe Parks Department; the details of which shall be shown on a revised landscape plan during civil plan review and prior to construction.
6. All street frontage landscaping/irrigation improvements shall be bonded until such time that housing construction is completed.

7. Irrigation is required for all street trees and newly planted vegetation within the right-of-way and within Tracts (where applicable and required by the City). The applicant shall submit an irrigation plan prior to construction for review and approval by the City.
8. The NGPE split-rail fencing shall be identified on the landscape and civil plans consistent with that shown on Sheet 1 of the Critical Area Study dated April 6, 2015 (Revised date).
9. The applicant shall post a performance/maintenance bond prior to issuance of a clearing and/or grading permit for the work outlined in the Wetlands Buffer Mitigation Plan per MMC 20.05.130.
10. The applicant shall obtain a General Construction Stormwater NPDES Permit from the WA Department of Ecology (DOE) prior to beginning construction per MMC 15.01.045.
11. The project shall implement all mitigation measures included in the environmental checklist (date stamped received February 23, 2015) based on the latest versions of any referenced reports, plans, or supporting documents made record as exhibits accompanying the April 9, 2015, Hearing Examiner Staff Report and Recommendation for the project or subsequent versions approved by the City.
12. Staff shall evaluate if the Roosevelt intersection serving the project will result in light trespass into the Prins home as asserted in the Prins letter in Ex. 14G. If that is the case, staff shall require reasonable proportionate share mitigation from the applicant. It is anticipated that this mitigation would involve a financial contribution for shrubs or other buffering to be located on the Prins property. However, staff may require alternative reasonable mitigation to the extent that it proves effective.
13. The proponent shall dedicate right-of-way for streets as shown on the approved preliminary plat map. Frontage improvements, including curb, gutter, sidewalk and street trees shall be provided for all streets within the subdivision. Traffic control devices and street signs shall be installed prior to final plat approval, and all public roads within the subdivision shall be constructed in accordance with the City's Public Works Design and Construction Standards and installed by the developer to the satisfaction of the City prior to final plat approval.
14. Development shall be subject to all applicable MMC requirements specifically including and without limitations, all applicable impact fees and capital improvement charges pursuant to Chapters 13.04.025, 13.08.272, 20.07, 20.10 and 20.12 of the MMC.

Section 3. Effective Date. This resolution shall take effect immediately upon passage.

ADOPTED by the City Council of the City of Monroe, at its regular meeting thereof, and APPROVED by the Mayor this 19th day of May, 2015.

CITY OF MONROE, WASHINGTON:

EFFECTIVE: 05/19/2015



Geoffrey Thomas, Mayor

(SEAL)

ATTEST:

APPROVED AS TO FORM:



Elizabeth M. Smoot, CMC, City Clerk



J. Zachary Lell, City Attorney

BEFORE THE HEARING EXAMINER FOR THE CITY OF MONROE

Phil Olbrechts, Hearing Examiner

RE: Holzerland Subdivision and PRD 14-SDPL-0002 and 14-PLPR- 0002	FINDINGS OF FACT, CONCLUSIONS OF LAW AND RECOMMENDATION.
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SUMMARY

The applicant has applied for preliminary plat and planned residential development approval to subdivide 15.5 acres into 71 single-family residential lots. It is recommended that the City Council approve the applications subject to conditions.

ORAL TESTIMONY

Melissa Place, City of Monroe senior planner, summarized the proposal. In response to questions from the examiner, Ms. Place noted that children would not be walking to school as the schools are more than a mile away. The sidewalks of the proposal will connect to sidewalks in the adjoining Foothills development and this should provide safe walking conditions to any school bus stops. Ms. Place also clarified that the applicant has not requested any waivers to development standards through the PRD process. The examiner asked if staff has reviewed the concerns raised by the Prins, i.e. safety and light issues with the proposed intersection on Roosevelt in front of the Prins property. Ms. Place noted that the intersection would serve both the proposed development as well as the new Bear Mountain subdivision. The City's engineering department has reviewed the intersection and hasn't found any safety issues associated with the intersection. Ms. Place wasn't able to address the light impacts of the intersection. As to superior design for PRD criteria, the applicant is adding street trees that otherwise wouldn't be required. Trails around the wetland are also proposed but not required as well as the trails around the wetland. Ms. Place further clarified that density review was based upon density for the total project area as opposed to determining density for each separate comprehensive plan designation (the project area is divided into two separate comprehensive plan designations).

Matt Hough, applicant, added additional response to the examiner's questions. He noted that the primary rationale for the PRD was to get minimum lot width reduced to 40 feet, which was necessitated by all of the critical areas on the site. There were some roadway reductions approved by public works staff, but those reductions weren't acquired through the PRD. The reduced pavement width can be regarded as PRD superior design because it generates less impervious surface.

1 Andrea Bachman, applicant wildlife expert, noted in response to examiner questions
2 that the proposal would not adversely affect the inactive eagles nest on the project
3 site. Ms. Bachman noted she didn't know how likely it would be for eagles to return
4 to the inactive nest site and she wasn't aware how long it would take for WDFW to
5 consider the site abandoned. Mr. Hough noted that the proposal had been redesigned
6 with the removal of a lot in order to protect the inactive nest site once it was brought
7 to their attention.

8 Michael Reed, applicant transportation engineer, testified that school buses drive into
9 the Foothills development on Foothills Road and that sidewalks connect to these bus
10 stops from the proposed subdivision. Mr. Reed noted that the school could add a bus
11 stop to Roosevelt, but sidewalks connect to that area as well.

12 Janelle MacDicken, representative of the Roosevelt Water Association, noted that
13 Roosevelt serves water along Roosevelt Road and that they could serve the proposal.
14 Roosevelt has adequate capacity to serve the development. Ms. MacDicken
15 acknowledged that the proposal is in Monroe's water service area but that Roosevelt
16 Water has historically provided water service along Roosevelt Road. Ms. Place noted
17 that public works staff has been discussing protection of Association utility lines with
18 Association staff.

19 Mr. Hough noted that City water mains are being extended from the Foothills
20 development into the project site. In response to examiner questions, Mr. Hough
21 noted that the applicant has conferred with public works and that public works
22 concluded there would be no light impacts. Mr. Hough noted that the intersection
23 location was set by the Bear Mountain subdivision. Bear Mountain and the applicant
24 are each responsible for a third of the intersection improvements. Mr. Reed stated
25 that roughly the proposal would account for a third to a half of the intersection traffic.

EXHIBITS

Exhibits 1-17, as identified in the "List of Exhibits" submitted by planning staff, were admitted into the record at the April 16, 2015 hearing. An engineering driveway analysis for the Prins intersection was admitted as Ex. 18. Staff review comments, evidencing public works approval of street width reductions, was admitted as Ex. 19.

FINDINGS OF FACT

Procedural:

1. Applicant. The applicant is Quadrant Homes.
2. Hearing. A hearing on the applications was held by the hearing examiner on April 16, 2015 at 10:00 am at Monroe City Hall in the Council Chambers.

1 **Substantive:**

2 3. Site/Proposal Description. The Applicant has applied for preliminary plat
3 and planned residential development approval to subdivide 15.5 acres into 71 single-
4 family residential lots. The subdivision is designed around one large central wetland
5 and recreation space with a trail system. The development connects to the existing
6 Foothills neighborhood via White Mountain Road SE and will connect with
7 Roosevelt Road. The connection to Roosevelt will be shared access between the
8 Holzerland subdivision and another new subdivision called Bear Mountain Estates to
9 the immediate north.

10 The proposal includes a narrow 50 foot wide right-of-way, street trees, several critical
11 areas and recreation tracts, and frontage improvements along Roosevelt Road. The
12 lots will be served by public water and sewer systems. Stormwater will be handled
13 through conveyance by way of new roadway drainage systems that will flow through
14 an on-site or approved off-site water quality treatment filtration system before
15 entering into the City of Monroe's stormwater system for ultimate storage in Lake
16 Tye.

17 The site contains hills and low to moderate slopes. The site is largely forested with
18 two single -family homes and one large single family estate as shown in Exhibit 2.
19 The large single-family estate and single-family home west of the estate will remain
20 on an individual parcel after the subdivision process is completed.

21 The reason the applicant has applied for PRD approval is for authorization of a 40
22 foot lot width. MMC 19.10.140, Table A, requires all lots within the UR6000 district
23 to have a minimum lot width of 60 feet. MMC 19.10.140 Table A authorizes a
24 reduction to 40 feet if the lots are created as part of a PRD. Due to the extensive
25 amount of wetlands on the project site, the applicant needed the 40 foot lot width in
order to attain densities authorized and to some extent mandated by the combined r 2-
5 and R 5-7 comprehensive plan land use designations. It should be noted that
according to staff report calculations, the applicant is authorized to accommodate up
to 90 dwelling units but is only proposing 71 dwelling units.

4. Characteristics of the Area. The project site is surrounded by detached
single-family homes and residential zoning to the north, east and west. Commercially
zoned property appears to be located to the south across Roosevelt Road.

5. Adverse Impacts. There are no adverse impacts associated with the
development. The primary focus in subdivision is adequacy of infrastructure and as
determined in Finding of Fact No. 6 the proposed subdivision will be served by
adequate infrastructure. The SEPA review staff concluded that the proposal will not
create any significant adverse environmental impacts. The only critical areas on site
are an inactive bald eagle habitat and some wetlands. Pertinent impacts are addressed
more specifically below:

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A. Prins Intersection. The most significant "loose end" for this subdivision are the light impacts at the Prins intersection. Mr. Prins submitted a letter, Ex. 19, expressing concern that the proposed intersection with Roosevelt Road is directly across from his driveway and that this could cause light and safety concerns. The City's public works department has reviewed the intersection for safety and has found no safety problems. Mr. Prins has not presented any evidence that there would be a safety issue so the City's expert opinion that there is no safety problem is determinative.

Mr. Prins concerns about light impacts are not so easily resolved. The applicant noted that public works staff told him that there would be no adverse light impacts, but the applicant acknowledged that the statements were all verbal and the applicant was unable to provide much detail on the basis of this opinion. It is reasonable to conclude that light impacts would be adverse if the Prins' home has windows located directly across from the proposed intersection. The precise location of the windows is not well documented in the record, since Mr. Prins was not present at the hearing. To further complicate matters, the Roosevelt intersection serves both the proposed subdivision as well as another subdivision of similar size. As testified by the applicant's engineer, the proposed subdivision would probably only account for a third to a half of the traffic at the intersection.

In order to resolve the light issue, the conditions of approval will require staff to ascertain whether the intersection will result in any significant light trespass into the Prins' home. If that is the case the applicant will be required to provide for proportionate share mitigation. It is anticipated that this would be composed of a proportionate share financial contribution for shrubs or other landscaping on the Prins property that would mitigate the light trespass or some other reasonable mitigation imposed by staff.

B. Bald Eagle habitat. The proposal has been adequately mitigated to prevent adverse impacts to bald eagle habitat. Two bald eagle's nests are known to occur in the vicinity of the project. One nest is inactive and located on the property in Tract OS2 near Wetland B, and the other nest is an active nest that is off-site approximately 200 feet to the southeast, near Wetland C (Exhibit 7 - Sheet 16). The latter nest was confirmed active by Gretchen Blatz with the Washington State Department of Fish and Wildlife.

The applicant will completely avoid the active nest as it is located off-site and proposes to completely avoid the inactive nest by retaining it within Tract OS2. To ensure the long-term protection of the nesting trees/eagle habitat and to minimize disturbance during the nesting season, the applicant proposes several mitigation measures in the Critical Area Study, Ex. 9. As mitigated, the applicant's wildlife expert was able to conclude that the project would not adversely affect bald eagles. Given the mitigation and the absence of any

1 evidence that bald eagles would be adversely affected, it is determined that the
2 proposal will not adversely affect bald eagles.

3 C. Wetlands. The proposal will not adversely affect wetlands. The property
4 contains all or portions of four separate wetlands (identified as Wetland A, B,
5 C and D) and their associated buffers as discussed in the applicant's "Critical
6 Area Study and Buffer Mitigation and Bald Eagle Management Plan" (Critical
7 Area Study) prepared by Wetland Resources dated April 7, 2015 (Exhibit 9).

8 The Critical Areas Study includes recommended mitigation that assures
9 compliance with the City's critical area regulations. The applicant proposes a
10 total of 11,830 square feet in wetland buffer reductions through buffer
11 averaging and Category IV wetland buffer reductions. Mitigation includes the
12 addition of 17,918 square feet of additional on-site buffering. The project
13 proposes permanent buffer reductions on Wetland B and buffer averaging on
14 the remaining on-site wetlands (Exhibit 9 – Sheet 1). Buffer restoration and
15 enhancement will occur around Wetlands B and D. The Critical Area Study
16 includes a buffer planting plan and planting notes, a monitoring program, and
17 maintenance plan. The Critical Areas Study concluded that overall, the
18 applicant's wetland mitigation plan would result in better habitat preservation
19 and protection of ecological function over that which would be expected if no
20 buffer reductions were proposed. Due to the conclusions of the Critical Areas
21 Study and the fact that it is compliant with the City's critical areas regulations,
22 it is concluded that the proposal will not adversely affect wetlands.

23 6. Adequacy of Infrastructure/Public Services. The project will be served
24 by adequate infrastructure and public services. All applicable level of service
25 standards for services and facilities are met as identified at page 7 of the staff report.
Adequacy is more specifically addressed as outlined below:

A. Water and Sewer Service. The City of Monroe will be providing sewer
and water to the project. The staff report notes that the City has adequate
capacity to provide these services. A representative from the Roosevelt
Water Association was present at the hearing and testified that they have
water lines running up Roosevelt Road. Staff have been working with the
Association to assure that those lines will not be damaged by development of
the proposal. The Roosevelt Water Association representative noted that
historically the Association has served development along Roosevelt Road,
but she acknowledged that the development is within Monroe's water service
area.

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B. Fire Protection. Fire protection would be provided by Monroe Fire District No. 3. Fire District No. 3 reviewed the proposal and had no concerns.

C. Police Protection. The police chief reviewed the proposal and expressed no concerns. The proposal will be served by the Monroe police department.

D. Drainage. Stormwater management will be designed to meet the requirements of the Department of Ecology Storm Water Management Manual for Western Washington (latest edition) as administered by the City Engineer. Stormwater will be handled through conveyance by way of new roadway drainage systems to an on-site vault or above grade filtration system before entering into the City of Monroe's stormwater system for ultimate storage in Lake Tye. The applicant has prepared a preliminary drainage plan, Ex. 11, which staff has found to be consistent with the Manual. City's stormwater regulations. More detailed review will be conducted during final plat engineering.

E. Parks/Open Space. The project proposes one neighborhood park in Tract PR1 with a tot lot and recreational open space that includes a trail. Tracts OS1-OS3 are native growth protection area tracts for the preservation of wetlands and their buffers and which incorporate a passive gravel trail system in the outskirts of the buffers.

Impacts to the city park and recreation system from the anticipated additional public park users are mitigated through park impact fees. Park impact fees shall be paid prior to final plat approval, or the applicant may defer payment to prior to building permit issuance. Park impact fees shall be based on the fee amount in effect at the time of payment.

Although the amount of open space incorporated into the PRD is largely driven by the City's critical area regulations, it is noteworthy that the amount of open space exceeds that required by PRD standards. MMC 18.84.080(A) requires 675 square feet of open space per lot, which totals 49,925 square feet for this proposal. The applicant is providing 53,520 square feet of open space.

F. Pedestrian Circulation. The public streets created within the subdivision include sidewalks on all sides of the street where residential lots front public

1 roadway as well as sidewalk along the property frontage along the east side
2 of Roosevelt Road. Trails provide additional connectivity within the central
3 critical area tracts.

4 G. Traffic and Circulation. Access to the development is proposed via White
5 Mountain Road SE and Roosevelt Road. Internal access to individual lots
6 will be provided through public roads with a narrow right-of-way. The roads
7 will accommodate two 15 foot wide drive aisles and five foot wide landscape
8 strips and five foot wide sidewalks on each side. This public road section is
9 not a City standard road section, but has been administratively approved by
10 the City Engineer as allowed by the City's Public Works and Design
11 Construction Standards.

12 Frontage improvements along Roosevelt Road include curb and gutter, a
13 landscape strip with street trees, and a five foot wide sidewalk along the
14 entire length of the site frontage (excepting the area in front of the existing
15 single-family home which will have a five foot wide asphalt path and a two
16 foot wide landscape strip with no street trees).

17 Based on the Traffic Impact Study dated November 12, 2014, the
18 development is anticipated to generate approximately 71 PM peak-hour trips.
19 The level of service analysis shows that all of the study intersections in the
20 TIA are anticipated to operate within acceptable thresholds.

21 H. Schools. The proposal provides for adequate and appropriate school
22 facilities and appropriate provision for walking conditions to and from
23 school. Impacts to the Monroe Public Schools and the Snohomish School
24 District are addressed by the imposition of school impact fees as required by
25 City code.

There is conflicting evidence on whether or not students will be walking to
and from school. The staff report notes that some students will be walking
to school but during the hearing staff indicated that all students would
probably be taking the bus. It appears that there are no schools within
walking distance. Even if there are, the interior of the subdivision has
sidewalks along all street frontages accommodating residences with
sidewalks along at least one side of all the public roads. The street frontage
along Roosevelt Road will also have sidewalks. It appears that if students
were to walk to school in the Fryelands (apparently the nearest school
location), they could walk on sidewalks through the adjoining Foothills

1 development all the way to SR 2. The more likely scenario is that all the
2 students would have to walk to a bus stop. As testified by the applicant's
3 traffic engineer, the closest school bus stops are currently in the Foothills
4 development and those areas can be accessed by sidewalks along the entire
5 pedestrian route. From the information in the record, more likely than not
walking conditions to and from school (whether it be a bus stop or walking
all the way to school) are adequate.

6 7. Superior Design. The PRD provides a design superior to that which would be
7 required by the subdivision criteria. The PRD includes provisions for trails around the
8 wetlands and street trees. None of these features is required by the City's subdivision
9 standards. The proposal also includes a significant amount of open space that is
10 centrally located in the subdivision. Although the open space is already required by
the City's critical areas ordinance, the applicant has done a good job in integrating this
open space as a central focus of PRD design.

11 CONCLUSIONS OF LAW

12 Procedural:

13
14 1. Authority of Hearing Examiner. MMC 21.20.050(F) provides that the
15 Examiner shall hold hearings and make recommendations to the City Council on
applications for preliminary plat and PRD approval.

16 Substantive:

17 2. Zoning and Comprehensive Plan Designation. The subject property is
18 zoned UR-6,000. The project site is subject to two comprehensive plan land use
map designation. One portion is designated R2-5 and another R5-7.

19 3. Review Criteria and Application. Subdivision criteria are specifically
20 governed by MMC 17.12.030(H). PRD standards are governed by MMC 18.84.080.
21 In addition, MMC 21.50.030(C) imposes standards that apply to all development
22 reviewed by the hearings examiner. Applicable code provisions are quoted below in
italics and applied through corresponding Conclusions of Law.

23 Subdivision Criteria

24 **MMC 17.12.030(H):** ... *The hearing authority shall inquire into how the public*
25 *interest of future residents of the preliminary plat are to be served by the subdivision*
and its dedications. It shall determine if provisions are made to protect the public
health, safety and general welfare by the provision of open spaces, drainage ways,
streets, alleys, other public ways, water supplies, sanitary waste, parks, playgrounds,

1 *sites for schools and school grounds and shall consider all other relevant facts and*
2 *determine whether the public interest of the future residents of the subdivision will be*
3 *served by the dedications therein:*

- 4 *1. The hearing authority shall consider if the proposed subdivision conforms to the*
5 *comprehensive plan and the Shoreline Master Program;*
- 6 *2. The hearing authority shall consider the physical characteristics of a proposed*
7 *subdivision site and may recommend disapproval of a proposed plat because of*
8 *improper protection from floods, inundation or wetland conditions;*
- 9 *3. All identified direct impacts must be mitigated or meet concurrency as set forth in*
10 *MMC Title 20.*

11 4. Adequate provisions are made for infrastructure and there are adequate public
12 services available as determined in Finding of Fact No. 6. Beyond infrastructure and
13 public service needs, the project adequately provides for the public health, safety and
14 general welfare because there are no significant adverse impacts associated with the
15 proposal as determined in Finding of Fact No. 5 and the high density of the proposal
16 serves to satisfy the City's obligations to accommodate its growth population targets
17 assigned by Snohomish County under the GMA. The project is consistent with the
18 comprehensive plan as outlined in the staff report and also for the reason that the
19 proposal provides for residential development with design features that assure its
20 compatibility with surrounding residential uses. The project is more than 200 feet
21 from any shoreline of the state or associated wetland and is, therefore, not subject to
22 the jurisdiction of the Shoreline Management Act. The site is not in a floodplain.
23 Wetlands are adequately protected as determined in Finding of Fact No. 5. The
24 proposal meets all applicable level of service standards as determined in Finding of
25 Fact No. 6.

18 **MMC 21.50.030(C):** *Required Findings. In drafting a recommendation, the hearing*
19 *examiner shall address the following, as required in the findings of fact:*

- 20 *1. The development is consistent with the comprehensive plan and meets the*
21 *requirements and intent of this code.*
- 22 *2. The development makes adequate provisions, if appropriate, for open space,*
23 *drainage ways, streets and other public ways, transit stops, water supply,*
24 *sanitary wastes, parks and recreation facilities, playgrounds, sites for schools*
25 *and school grounds.*
- 3. The development adequately mitigates impacts identified under Chapters*
17.12, 18.84, and 20.04 MMC, and the sensitive area guidelines adopted by
resolution.
- 4. The development is beneficial to the public health, safety and welfare and is in*
the public interest.

1 5. The development does not lower the level of service on the following public
2 facilities and services below the minimum standards established within the
3 comprehensive plan:

- 4 a. Potable water;
- 5 b. Wastewater;
- 6 c. Storm water drainage;
- 7 d. Police and fire protection;
- 8 e. Parks and recreation;
- 9 f. Arterial roadways; and
- 10 g. Public schools.

11 If the development results in a level of service lower than those set forth in the
12 comprehensive plan, the development may be approved if improvements or
13 strategies to raise the level of service above the minimum standard are made
14 concurrent with the development, subject to the requirements of Chapter 20.06
15 MMC.

16 6. The area, location, and features of land proposed for dedication are a direct
17 result of the development proposal, are reasonably needed to mitigate the effects
18 of development, and are proportional to the impacts created by the development.

19 5. As noted in Finding of Fact No. 6, the proposal does not lower level of service
20 standards for public services below adopted levels. The proposal is also consistent
21 with the densities required by both applicable comprehensive plan land use
22 designations as outlined at pages 5-6 of the staff report. As conditioned, there are no
23 significant adverse impacts associated with the proposal as determined in Finding of
24 Fact No. 5. Since there are no significant adverse impacts associated with the
25 proposal and the urban densities of the proposal help to accommodate GMA required
growth targets, the proposal is beneficial to public health, safety and welfare and is in
the public interest. The streets required for dedication are necessary to provide safe
access to the lots proposed by the subdivision and are, therefore, needed to mitigate
the effects of the proposal. As the dedicated right of way is only necessary because
of the proposed development and will be almost entirely and exclusively used by
vehicles accessing or departing the proposed subdivision, the required right of way is
proportional to the impacts created by the development.

PRD Criteria

MMC 18.84.120(A): *The city shall¹ approve a preliminary development plan if the plan meets the following criteria:*

¹ Curiously, MMC 18.84.120(A) mandates approval of a PRD without reference to compliance with MMC 18.84.080, which sets additional requirements for PRDs. The staff report contains a detailed analysis of compliance with MMC 18.84.080. Although compliance with MMC 18.84.080 is arguably not required for approval of the PRD given the "shall" language of MMC 18.84.120(A), it is concluded as a matter of law that the PRD complies with MMC 18.84.080 for the reasons identified

1 A. The PRD is in accordance with the comprehensive plan; and

2 6. As previously concluded, the PRD is consistent with the comprehensive plan.

3 **MMC 18.84.120(B):** *The PRD accomplishes a development that is better than that*
4 *resulting from traditional development and provides a net benefit to the city. A net*
5 *benefit to the city may be demonstrated by the following:*

- 6 1. *Conservation of natural features and sensitive area,*
- 7 2. *Placement, style or design of structures,*
- 8 3. *Recreational facilities,*
- 9 4. *Interconnected usable open space,*
- 10 5. *Provision of other public facilities,*
- 11 6. *Aesthetic features and harmonious design, and*
- 12 7. *Energy-efficient site design and/or building features; and*

13 7. As determined in Finding of Fact No. 7, the PRD provides for superior design that
14 would not be required by the City's subdivision standards due to the presence of
15 buffering to adjacent residential uses, trails and street trees. The central location of
16 the open space, its interconnectedness and the integration of trails into the open space
17 should also be considered a superior design feature to some extent, although the
18 location of these centrally located tracts is largely dictated by the City's critical area
19 ordinance, which would also apply to subdivisions. The PRD also provides for
20 superior design because it satisfies the PRD standards set by MMC 18.84.080, for the
21 reasons identified in the staff report.

22 **MMC 18.84.120(C):** *The PRD will be served by adequate public facilities including*
23 *streets, fire protection, water, storm water drainage, and sanitary sewer for*
24 *acceptable waste controls, as demonstrated by the submittal and review of plans for*
25 *such facilities as described under MMC 18.84.060; and*

8. As determined in Finding of Fact No. 6, the proposal is served by adequate public
facilities as required by the criterion above.

MMC 18.84.120(D): *The proposed landscaping within the PRD's perimeter is*
superior to that normally required by the city; and

9. The PRD contains closely spaced street trees on the western and northwestern
perimeter that isn't required by the City's development standards, so the proposal
provides for superior perimeter landscaping.

in the staff report. Further, satisfying the requirements of MMC 18.84.080 is
construed as a pre-requisite for a determination that the PRD provides for superior
design, as mandated by MMC 18.84.120(B).

1 **MMC 18.84.120(E):** *At least one major circulation point is functionally connected*
2 *to a public right-of-way; and*

3 10. All the interior roads ultimately connect to exterior public roads.

4 **MMC 18.84.120(F):** *The open space within the PRD is integrated into the design of*
5 *the project rather than an isolated element; and*

6 11. The open space of the PRD is well integrated into the PRD design. The open
7 space serves as a central focal point and view enhancement for a majority of the
8 homes in the PRD. With the exception of a handful of lots, almost all the lots either
9 front on an open space/critical areas tract or the tract is visible directly across the
10 street.

11 **MMC 18.84.120(G):** *The PRD is compatible with the adjacent development; and*

12 12. The PRD is compatible with adjacent development. Surrounding development is
13 predominantly single-family residential. On the east side of Roosevelt Road where
14 the subject property is situated, the surrounding property is all zoned UR6000 or
15 UR9600, which provides for the same or similar densities to that proposed for the
16 PRD. Street trees help shield the PRD from view from the County zoned properties
17 on the other side of Roosevelt Road.

18 **MMC 18.84.120(H):** *Undeveloped land adjoining the PRD may be developed in*
19 *coordination with the PRD; and*

20 13. There is no proposal for coordinated planning and the criterion above doesn't
21 mandate any such proposal.

22 **MMC 18.84.120(I):** *The PRD is harmonious and appropriate in design, character*
23 *and appearance to the existing or intended character of development in the*
24 *immediate vicinity; and*

25 14. For the reasons identified in Conclusion of Law No. 12, the proposal is
harmonious and appropriate in design etc. with surrounding development. The
extensive amount of open space and superior landscaping amenities further enhances
the compatibility of the proposal.

MMC 18.84.120(J): *Roads, streets and sidewalks, existing and proposed, comply*
with the standards and requirements of this chapter and the Monroe Municipal Code;
and

15. City public works staff have reviewed the plat drawings and found the proposed
design for streets and sidewalks to be consistent with applicable City standards.

1 **MMC 18.84.120(K):** *Each phase of the PRD, as it is completed, shall contain the*
2 *required parking spaces, open space, recreation facilities, landscaping, and utility*
3 *area planned for that phase.*

4 16. Compliance with the amenities proposed in the PRD shall be required for final
5 PRD approval as required by MMC 18.84.070(C).

6 **DECISION**

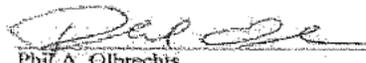
7 The proposed preliminary plat and PRD are found to be consistent with all applicable
8 development regulations for the reasons identified in the Conclusions of Law. It is
9 recommended that the City Council approve the preliminary plat and PRD
10 applications subject to the following conditions:

- 11 1. The BLA referenced at page 2 of the staff report shall be recorded prior to
12 issuance of a clearing/forest practices permit by the City.
- 13 2. The applicant shall submit housing elevation drawings (similar to those provided
14 at the preliminary stage) concurrent with building permit submittal demonstrating
15 compliance with the housing standards per MMC 18.84.080(G).
- 16 3. The applicant shall provide a copy of the Covenants, Conditions, and Restrictions
17 (CC&R's) to the City for review at the time of submittal of final PRD per MMC
18 18.84.080(E).
- 19 4. The applicant shall record the wetland monitoring requirements in a form
20 approved by the City for awareness/responsibility to subsequent purchasers of the
21 property as per MMC 20.05.070(E) at the time of final plat.
- 22 5. Additional recreational amenities shall be provided in Tract PR1 such as tables,
23 benches, landscaping, play fields, equipment, etc. in order to satisfy MMC
24 18.84.080(I)(10) and 18.84.120(B)(3) and shall be accessible via trails. These
25 improvements shall be coordinated with and approved by the Monroe Parks
Department; the details of which shall be shown on a revised landscape plan
during civil plan review and prior to construction.
6. All street frontage landscaping/irrigation improvements shall be bonded until such
time that housing construction is completed.
7. Irrigation is required for all street trees and newly planted vegetation within the
right-of-way and within Tracts (where applicable and required by the City). The
applicant shall submit an irrigation plan prior to construction for review and
approval by the City.
8. The NGPE split-rail fencing shall be identified on the landscape and civil plans
consistent with that shown on Sheet 1 of the Critical Area Study.
9. The applicant shall post a performance/maintenance bond prior to issuance of a
clearing and/or grading permit for the work outlined in the Wetlands Buffer
Mitigation Plan per MMC 20.05.130.
10. The applicant shall obtain a General Construction Stormwater NPDES Permit
from the WA Department of Ecology (DOE) prior to beginning construction per
MMC 15.01.045.

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11. The project shall implement all mitigation measures included in the environmental checklist based on the latest versions of any referenced reports, plans, or supporting documents made record as exhibits accompanying this Staff Report and Recommendation for the project or subsequent versions approved by the City.
12. Staff shall evaluate if the Roosevelt intersection serving the project will result in light trespass into the Prins home as asserted in the Prins letter in Ex. 19. If that is the case, staff shall require reasonable proportionate share mitigation from the applicant. It is anticipated that this mitigation would involve a financial contribution for shrubs or other buffering to be located on the Prins property. However, staff may require alternative reasonable mitigation to the extent that it proves effective.

Dated this 30th day of April 2015.



Phil A. Olbrechts
City of Monroe Hearing Examiner

**CITY OF MONROE
DETERMINATION OF NON-SIGNIFICANCE (DNS)**

LOCAL FILE NUMBER: SEPA 2014-09

NAME OF PROPOSAL: Holzerland Subdivision & Planned Residential Development

DESCRIPTION OF PROPOSAL:

The proposed project is a subdivision and PRD to subdivide three parcels totaling approximately 15.5 acres into 71 lots for single family dwellings. The proposed lots will be served by extension of the existing White Mountain Road SE and a new intersection at Roosevelt Road. The proposed development includes clearing and grading the site, installation of all utilities, and construction of roadways and homes.

LOCATION OF PROPOSAL:

The project site is located at 13411 Roosevelt Road and involves three tax parcels (28062600301300, 28063500201000 and 28063500202800). The project is located in the Urban Residential 6000 (UR6000) zoning district of the City of Monroe.

PROPONENT:

Quadrant Homes
c/o CPH Consultants
733 Seventh Ave.
Kirkland, WA 98033

LEAD AGENCY: City of Monroe

THRESHOLD DETERMINATION:

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) **IS NOT** required under RCW 43.21C.030(2)(c). This decision was made after reviewing the proposal. This information is available to the public for review upon request at the Monroe City Hall, 806 West Main Street, Monroe, WA 98272 between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday, excluding holidays and online at www.monroewa.gov/holzerlandprd.

This Determination of Non-significance is issued under WAC 197-11-340 (DNS); the lead agency will not act on this proposal for 14 days from the date below.

() There is no comment period for the DNS.

(X) This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. Written comments on the proposal can be submitted to Kim Shaw at kshaw@monroewa.gov or at 806 W Main St., Monroe WA 98272.

Date of Issuance: March 11, 2015

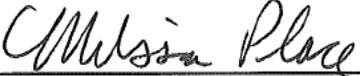
Comments must be submitted by: 5:00 p.m., March 25, 2015

Appeals must be submitted by: 5:00 p.m., April 1, 2015

Responsible Official: Melissa Place

Position /Title: Senior Planner Phone: (360) 863-4608

Address: City of Monroe, 806 West Main Street, Monroe, WA 98272

Signature: 

Appeals:

Appeals to the above Determination of Nonsignificance must be filed with the City of Monroe within fifteen working days of issuance (**by 5:00 p.m., April 1, 2015**) by filing an appeal in conformance with MMC 21.60.010. The appeal shall be filed on forms available at Monroe City Hall, 806 West Main Street, Monroe, WA 98272 and must be filed in original form. The appeal shall set forth the specific reason, rationale, and/or basis for the appeal. Payment of the appeal fee, as specified in the city's current Fee Resolution, shall occur at the time the appeal is filed.



MONROE THIS WEEK

June 24, 2016 Edition No. 25

Mayor

Geoffrey Thomas
gthomas@monroewa.gov

Councilmembers

Patsy Cudaback
Kevin Hanford
Ed Davis
Jason Gamble
Jim Kamp
Jeff Rasmussen
Kirk Scarboro
councilmembers@monroewa.gov

City Hall

806 West Main Street
Monroe, WA 98272
Phone: 360.794.7400
Open 8AM – 5PM, M-F

Appointment Openings

No Vacancies

Job Openings

Senior Engineer – Development
Review
www.monroewa.gov/jobs

Events this Week

- 06/24 - 6/25 Evergreen Speedway Summer Showdown, Evergreen Speedway, 6PM
- 06/26 Walk For Heroes, Lake Tye Park, 9:30AM-1PM
- 06/28 City Council Meeting, City Hall, Council Chambers, 7PM
- 06/29 Farm To Table Farmer's Market, Lake Tye Park, 3-8PM

From the Office of Mayor Thomas

To highlight some of the things going on in our community, I am writing this weekly city update, "Monroe This Week. If you have any suggestions or questions regarding "Monroe This Week" or the stories below, please contact me at GThomas@MonroeWa.gov.

Yours in Service,

Mayor Geoffrey Thomas

Be In The Know!

Park Place Middle School Groundbreaking

Monday, June 20, 2016, City Staff had the pleasure of attending the groundbreaking for what will be the new Park Place Middle School. It was awesome to see all the students be able to attend this event and share in this exciting time. This is an investment in the lives of our children and our community. Thank you to the Monroe School District and the Design Steering Committee for all your time and effort in meeting and planning to begin the building process of Park Place Middle School. I look forward to watching the progress and am excited for the summer of 2018!

Evergreen Speedway Summer Showdown 2016!

This weekend at the Evergreen Speedway is Summer Showdown! This is the "superbowl" of the Speedway! This year's summer showdown starts Friday, June 24th, with Mini Stocks and Street Stocks. Saturday, June 25th, is 200 laps of non-stop action. Come out this weekend and watch drivers from all over the U.S. compete! See you there!

Fireworks On Sale Next Week

Tuesday, June 28, 2016, fireworks will go on sale in Monroe. As a reminder, fireworks may only be discharged on July 4th, between the hours of 9 a.m. and midnight. Also, July 4th, is a scary time for your pets. Keep them inside so they don't escape and run-off. Stay safe and have fun!

**City of Monroe
Year-to-Date Comparisons**

The following are year-to-date comparisons

Sales Tax Revenues
'15 to 5/31/15: \$1,601,592
'16 to 5/31/16: \$1,775,685
UP \$174,093 or 10.87%

Real Estate Excise Tax
'15 to 5/31/15: \$187,640
'16 to 5/31/16: \$375,594
UP \$187,954 or 100.17%

Lodging Tax Revenues
'15 to 5/31/15: \$18,679
'16 to 5/31/16: \$23,437
UP \$4,758 or 25.47%

Business License Fees
'15 to 5/31/15: \$21,069
'16 to 5/31/16: \$20,879
DOWN \$190 or -0.90%

Building Permit Revenues
'15 to 5/31/15: \$135,163
'16 to 5/31/16: \$202,753
UP \$67,590 or 50.01%

Planning Fee Revenues
'15 to 5/31/15: \$47,740
'16 to 5/31/16: \$36,290
DOWN \$11,450 or -23.98%

New House Permits
'15 to 5/31/15: 35
'16 to 5/31/16: 52
UP 18 units or 52.9%
*19 permits issued in May 2016 alone

Multi-Family Permits (# units)
'15 to 5/31/15: 13
'16 to 5/31/16: 4
DOWN 9 units or -69.2%

Building Division Inspections
'15 to 5/31/15: 712
'16 to 5/31/16: 764
UP 52 or 7.3%

Save The Date – Supra Boats Pro Wakeboard Tour!

The Supra Boats Pro Wakeboard Tour is coming! Professional athletes from all over world will be competing at Lake Tye Park. The event will be held on Saturday, July 9, 2016. Get your tickets now for an incredible experience!

For ticket information [click here!](#)

Projects!

Woods Creek Sidewalk Extension

Work has begun on this sidewalk project! The contractor has been clearing the project zone and will begin installing the soldier piles for the retaining walls next week. Expect one lane closures during construction activity for the duration of the project.

