

**CITY OF MONROE
ORDINANCE NO. 009/2019**

AN ORDINANCE OF THE CITY OF MONROE,
WASHINGTON, EXTENDING FOR AN ADDITIONAL ONE
YEAR PERIOD THE TEMPORARY ELIMINATION OF FEES
FOR CERTAIN PERMITS ASSOCIATED WITH
DEVELOPMENT IN THE DOWNTOWN AREA AND FIXING
A TIME WHEN THE SAME SHALL BECOME EFFECTIVE

WHEREAS, the City of Monroe processes permits required for development of land; and

WHEREAS, a condition precedent for processing any application for said permits is the payment of fees associated therewith; and

WHEREAS, development in the downtown area of the City of Monroe has been lagging those in other areas of the City; and

WHEREAS, the slowdown in development in the downtown area of the City is resulting in lower tax revenues for the City; and

WHEREAS, on May 18, 2018, the Monroe City Council passed Ordinance No. 014/2018, temporarily eliminating fees for certain permits associated with development in the downtown area; and

WHEREAS, Ordinance No. 014/2018 is set to expire one year after its June 14, 2018, effective date; and

WHEREAS, the City Council finds it is desirable and beneficial to the City of Monroe to continue to encourage development in the downtown area of the City by extending the temporary elimination of fees for certain permits associated with development in the downtown area for an additional one year period beyond the June 14, 2018, expiration date provided for in Ordinance No. 014/2018.

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

Section 1. The City of Monroe shall not charge any fee as a condition precedent for processing applications for any city permit that is listed in Exhibit A, attached hereto and incorporated herein by this reference, for developments in the Downtown Area. Fee waivers do not apply to Single-family dwelling permits.

Section 2. Downtown Area shall exclusively include those areas within the City as set forth in Exhibit B, attached hereto and incorporated herein by this reference.

Section 3. The following fees shall remain unaffected by the adoption of this ordinance: (1) fees for application for City permit that are not listed in Exhibit A; (2) fees for any application for permit that are listed in Exhibit C, attached hereto and incorporated herein by this reference; (3) fees for any application for non-City permits, including but not limited to those required by or originating from the State of Washington or special purpose districts; (4) fees associated with third party consultant work necessary to process any application for permit; and (5) fees for application for permit for development outside the Downtown Benefit District.

Section 4. Any question or ambiguity relating to whether a certain fee is affected by the adoption of this ordinance as provided in Section 1, or remain unaffected as provided in Section 3, shall be decided in favor of the latter.

Section 5. Future amendments to what is commonly referred to as the City of Monroe's Fee Resolution shall be consistent with this ordinance.

Section 6. The City of Monroe shall not increase, as a direct result of this ordinance, the fees for any application for permit for development outside the Downtown Area, for which there is no fee for the same application within the Downtown Area.

Section 7. Notwithstanding the fee waiver authorized under this ordinance, properties located in the Downtown Area shall be fully subject to the same penalties for regulatory and/or permitting noncompliance and violations as any other property in Monroe city limits. Without limitation of the foregoing, if work requiring a building permit is performed without first obtaining a permit, the applicant shall be charged two times the fee amount established in Table 1-A Building Fee Table and Table 103.4.2(A).

Section 8. Unless sooner repealed by action of the City Council, this ordinance shall automatically expire on June 14, 2020. Approximately forty-five days before the automatic expiration of this ordinance, the Director of Community Development, or his designee, shall report to the City Council on the costs and benefits to the City of Monroe as a result of this ordinance.

Section 9. 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 10. 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. The one-year implementation period of this ordinance shall commence with the June 14, 2019, expiration date of Ordinance No. 014/2018, and shall expire June 14, 2020.

PASSED by the City Council and APPROVED by the Mayor of the City of Monroe, at a regular meeting held this 14th day of May, 2019.

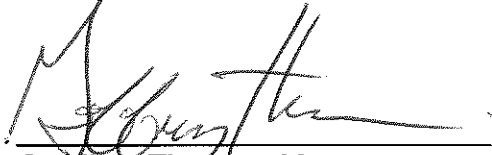
1st Reading Waived
Final Reading: May 14, 2019
Published: May 17, 2019
Effective: May 22, 2019

(SEAL)

ATTEST:


Elizabeth M. Adkisson, MMC, City Clerk

CITY OF MONROE, WASHINGTON:


Geoffrey Thomas, Mayor

APPROVED AS TO FORM:


J. Zachary Lell, City Attorney

EXHIBIT A

FEES TO BE WAIVED:

- Accessory dwelling units
- Boundary line adjustment
- Environmental (SEPA) review (DNS and Mitigated only; environmental consultant fees not waived)
- Short plat
- Plat amendments
- Site plan review
- Building permits -
 - Building plan review fees (structural consultant review fees not waived)
 - Building permit fees (State's \$4.50 building permit fee not waived)
- Plumbing and mechanical fees
- Public works construction fees
- Right-of-way permits
- Utility availability letter
- Grading plan review fees
- Grading permit
- Sign Permits
- Tenant Improvement Permits
- Demolition Permits

EXHIBIT B

Area included within the "Downtown Area".

The area bordered by the following: Madison Street on the west, McDougall Street on the south, Al Borlin Park on the east and Burlington Northern Railroad right-of-way on the north. Where the boundaries are indicated by a street, the boundary shall be the centerline of that street. Where the boundaries are irregular, the study area boundary shown on the City's official zoning map as the Downtown Commercial Zone.

EXHIBIT C

FEES NOT WAIVED:

Contract and binding site plan
Land clearing permits
Model homes
Subdivisions
Planned residential development
Rezone application
Shoreline permits (includes variances, conditional uses, substantial development;
environmental consultant)
Special use permit
Variance
Conditional use permit
Fire flow test
Street right-of-way vacation fees
Special flood hazard area development permit

Any State fees on permits
Capital improvement fees
Consultant charges
Fire District fees
Reimbursement agreement fees
Transportation concurrency fees
Water service connection fees
Sewer connection fees
Water, sanitary sewer and storm sewer frontage fees
Park Plan, Transportation Plan, and School impact fees
SEPA concurrency fees