

**CITY OF MONROE
ORDINANCE NO. 023/2014**

AN ORDINANCE OF THE CITY OF MONROE,
WASHINGTON, AMENDING CHAPTER 20.07 MMC,
SCHOOL IMPACT FEE MITIGATION PROGRAM;
IMPOSING A TEMPORARY MORATORIUM UPON
THE CITY'S COLLECTION AND TRANSFER OF
SCHOOL IMPACT FEES; PROVIDING FOR
SEVERABILITY; ESTABLISHING AN AUTOMATIC
SUNSET DATE; AND FIXING A TIME WHEN THE
SAME SHALL BECOME EFFECTIVE

WHEREAS, pursuant to Chapter 82.02 RCW and in cooperation with Monroe School District No. 103 and Snohomish School District No. 201, the City of Monroe has adopted the School Impact Fee Mitigation Program codified at Chapter 20.07 MMC; and

WHEREAS, under Chapter 20.07 MMC, school impact fees are based upon the capital facilities plans respectively adopted by Monroe School District No. 103 and Snohomish School District No. 201, imposed by the City upon new development activity as a condition of project approval, collected from development applicants, and ultimately transferred to the above-referenced school districts in order to fund certain school-related capital facilities; and

WHEREAS, the City has recently been notified by Monroe School District No. 103 and Snohomish School District No. 201 that the current capital facilities plans of both districts do not contemplate or otherwise require additional funding from the City's School Impact Fee Mitigation Program at this time; and

WHEREAS, the Monroe City Council desires to impose a temporary moratorium upon the City's collection and transfer of school impact fees under Chapter 20.07 MMC in order to accurately reflect the current capital facilities plans of Monroe School District No. 103 and Snohomish School District No. 201.

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

Section 1. Amendment of Chapter 20.07 MMC; Temporary School Impact Fee Moratorium Imposed. A temporary moratorium is hereby imposed upon the collection and transfer of school impact fees under this chapter. Said moratorium shall take effect January 1, 2015, and shall remain effective until 5:00 p.m. on December 31, 2015, unless terminated earlier or extended by ordinance of the Monroe City Council.

The code reviser is authorized and directed to codify a notation containing the substance of this section at Chapter 20.07 MMC.

Section 2. Superseding Effect. The temporary moratorium imposed by Section 1 of this ordinance shall supersede all inconsistent or contrary MMC provisions, specifically including without limitation MMC 20.07.090, MMC 20.07.100, and MMC 20.07.150.

Section 3. Future Revisitation. In the event that Monroe School District No. 103 and/or Snohomish School District No. 201 amend their respective capital facilities plans in a manner implicating the City's School Impact Fee Mitigation Program prior to the expiration of the moratorium imposed by Section 1 of this ordinance, the City Council shall revisit said moratorium and shall consider termination, modification or other appropriate action.

Section 4. 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.

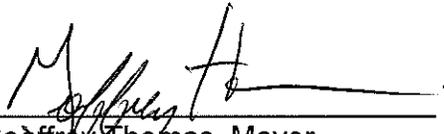
Section 5. Effective Date; Sunset. This ordinance shall take effect January 1, 2015, after its passage and approval and publication as required by law, and shall sunset automatically at 5:00 p.m. on December 31, 2015, unless terminated earlier or extended by ordinance of the Monroe City Council.

PASSED by the City Council and APPROVED by the Mayor of the City of Monroe, at a regular meeting held this 16th day of December, 2014.

1st/Final Reading: December 16, 2014
Published: December 23, 2014
Effective: January 1, 2015

(SEAL)

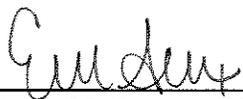
CITY OF MONROE, WASHINGTON:



Geoffrey Thomas, Mayor

ATTEST:

APPROVED AS TO FORM:



Elizabeth M. Smoot, CMC, City Clerk



J. Zachary Lell, City Attorney