

ORDINANCE 1269

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, CREATING A NEW CHAPTER 17.32 OF THE NORTH BEND MUNICIPAL CODE ENTITLED “SCHOOL IMPACT FEES”.

WHEREAS, the Council previously adopted Ordinance 1260 which detailed the authority and process by which School District Impact Fees were to be calculated and further authorized the Mayor to execute an interlocal agreement with the Snoqualmie Valley School District No. 410; and

WHEREAS, the City does not wish to Codify the entirety of said ordinance but wants to make reference to the creation of the fee within the North Bend Municipal Code so as to provide adequate notice to the general public; and

WHEREAS, because the findings and substantive provisions needed to adopt and justify Impact Fees are extensive, said Fees should be adopted by Ordinance but should also be referenced within the City’s Fee Resolution or Ordinance, and such fact should be detailed in an enabling ordinance;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND,
WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:**

Section 1. There is hereby adopted a new Chapter 17.32 of the North Bend Municipal Code that shall be entitled “School Impact Fees”.

Section 2. There is hereby adopted a new Section 17.32.010 which shall read as follows:

17.32.10 School Impact Fees Authorized—Cross References. A) The City Council of the City of North Bend, Washington is hereby authorized to adopt, pursuant to the authority of Chapter 82.02 of the Revised Code of Washington, an Ordinance creating and setting School Impact Fees which will be collected on behalf of Snoqualmie Valley School District No. 410. Any such Ordinance shall provide for the method of calculating said fees and shall contain reasonable rules and procedures for collecting and distributing said fees for the benefit of the District.

B) The City Clerk is authorized to reference any School Impact Fee so established by Ordinance in any future Tax, Rate and Fee Schedule Ordinance of the City.

Section 3. Severability: Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4. Effective Date: This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 20TH DAY OF MARCH, 2007.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Kenneth G. Hearing, Mayor

Michael R. Kenyon, City Attorney

Published: March 28, 2007
Effective: April 2, 2007

ATTEST/AUTHENTICATED:

Cheryl Proffitt, City Clerk