ORDINANCE NO. 301

AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, RELATING TO TAXES, FEES, AND CHARGES BY CONFIRMING, RATIFYING, AND REENACTING PRIOR ACTIONS OF THE COUNCIL INCLUDING CERTAIN PROVISIONS OF THE CITY'S UTILITY TAX ORDINANCE, ADMISSIONS TAX ORDINANCE, STORM DRAINAGE FEE ORDINANCE, ANIMAL LICENSE FEES RESOLUTION, PLANNING AND DEVELOPMENT FEES RESOLUTION, PUBLIC WORKS PERMIT AND SERVICE FEES RESOLUTION, MECHANICAL CODE FEES RESOLUTION, PLUMBING CODE FEES RESOLUTION, FEES AND CHARGES FOR PARK FACILITIES AND OTHER PUBLIC FACILITIES RESOLUTION, PARK AND RECREATION PROGRAM FEES RESOLUTION, AND PUBLIC FACILITY PERMIT FEES RESOLUTION MODIFIED AND/OR ADOPTED BY THE CITY COUNCIL'S PASSAGE OF ORDINANCES 250, 254, 255, AND 256 AND RESOLUTIONS 240, 241, 242, 243, 244, 245, AND 249, SAID PERIOD OF REENACTMENT BEING FOR THE PERIOD COMMENCING JANUARY 1, 2000 AS MORE PARTICULARLY SET FORTH HEREIN.

WHEREAS, the University Place City Council adopted and/or modified certain taxes, fees, and charges by its adoption of Ordinance Number 250 on September 20, 1999, Ordinance Numbers 254, 255, and 256 on November 15, 1999, Resolution Numbers 240, 241, 242, 243, 244, and 245 Resolution Number 249 on December 13, 1999; and

WHEREAS, the Washington voters recent approval of Initiative 722 creates a need on the part of the University Place City Council to clarify and reaffirm its intent with respect to those taxes, fees, and charges for the period commencing on January 1, 2000; and

WHEREAS, the City Council finds that re-adoption of such taxes, fees, and charges, if made effective on and after January 1, 2000 does not violate Initiative 722; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

- Section 1. <u>Confirmation, Ratification, and Reenactment of Taxes, Charges, and Fees.</u> The taxes, fees, and charges set forth in ordinances 250, 254, 255, and 256 and resolutions 240, 241, 242, 243, 244, 245, and 249 attached hereto as "Exhibit A" and incorporated as if fully set forth are hereby confirmed, ratified, and reenacted at the rates set forth in said "Exhibit A" for the period commencing January 1, 2000.
- Section 2. <u>Severability</u>. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.
- Section 3. <u>Ratification</u>. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.
- Section 4. <u>Publication and Effective Date</u>. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall be in full force and effect five days after such publication.

PASSED BY THE CITY COUNCIL ON DECEMBER 4, 2000

Lorna Smith Mayor

ATTEST:

Susan Matthew, City Clerk

APPROVED AS TO FORM:

Timothy X. Sullivan/City Attorney

Date of Publication:

12/7/00

Effective Date:

12/12/00

ORDINANCE NO. 250

AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AMENDING CHAPTER 4.35, UTILITY TAX, OF THE UNIVERSITY PLACE MUNICIPAL CODE BY REPEALING ORDINANCE NUMBERS 233 AND 234 AND INCREASING THE UTILITY TAX RATE FROM 2.50% TO 6.0%, EFFECTIVE DECEMBER 1, 1999, EXTENDING THE UTILITY TAX TO ITS MUNICIPAL STORM DRAINAGE SYSTEM, AND PROVIDING FOR POWERS OF REFERENDUM PURSUANT TO RCW 35.17.240-360.

WHEREAS, RCW 35A.82.020 authorizes the City of University Place (the City) to license for revenue;

WHEREAS, the City Council finds in order to provide revenues for the City of University Place, a utility tax should be levied pursuant to the City of University Places authority to license for revenue;

WHEREAS, the City Council wishes to repeal Ordinances 233 and 234;

WHEREAS, the City Council wishes to increase utility tax rate from 2.5% to 6.0% to take effect on December 1, 1999;

WHEREAS, the City Council wishes to extend the utility tax to the City's municipal storm drainage system;

WHEREAS, this utility tax is also imposed for the privilege of providing utilities within University Place pursuant to RCW 35.21.870; and

WHEREAS, the City of University Place desires to provide for a referendum procedure to apply to this ordinance pursuant to RCW 35.21.706; NOW THEREFORE:

THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. <u>Amending Chapter 4.35.020 Utility Tax Levied - Rate</u>. There is hereby added an amendment to Chapter 4.35.020 Utility Tax Levied - Rate to the University Place Municipal Code.

Chapter 4.35.020 Utility Tax Levied - Rate

There is levied on and shall be collected from every person a tax for the act or privilege of engaging in certain business activities, measured by the application of the respective rates against gross income as follows:

A. Telephone Business. Upon every person engaged in or carrying on any telephone business (including cellular telephone service) within the City of University Place a fee or tax equal to two and one-half six percent of the total gross income from such business in the City of University Place. Tax liability imposed under this Section shall not apply to that portion of gross income derived from charges to another telecommunications company, as defined in RCW 80.04.010, for connecting fees, switching charges, or carrier access charges relating to intrastate toll telephone services, or for access to, or charges for, interstate services, or charges for network telephone service that is purchased for the purpose of resale.

B. Cable Television. Upon every person engaged in or carrying on the business of transmitting television signals by means of a cable distribution system, commonly known as cable television or CATV, a tax equal to two and one half-six percent of the total gross income derived from such

business in the City of University Place during the current calendar year for which license is required.

- C. Natural or Manufactured Gas. Upon every person engaged in or carrying on the business of transmitting, distributing, selling and furnishing natural and/or manufactured gas, a tax equal to two-and-one-half six percent of the total gross income from such business in the City of University Place.
- D. Solid Waste. Upon every person engaged in or carrying on the business of collecting solid waste, recyclable materials or yard waste, a tax equal to two and one-half six percent of the total gross income from such business in the City of University Place, but not including income from the sale of recyclable materials or yard waste.
- E. Storm Drainage. Upon the city in respect to the conduct, maintenance, and operation of its municipal storm drainage system as a public utility, a tax equal to six percent effective of the total gross income from such business in the City of University Place during the period for which the tax is due.
- Section 2. Referendum Procedure. A referendum petition with respect to this ordinance may be filed with the City Clerk within seven days of the passage of this ordinance. The referendum procedures set forth in RCW 35.17.240 through 35.17.360, as hereafter amended, shall apply, with the following additions and amendments as required by RCW 35.21.706:
 - A. Within ten days of the filing of the petition, the City Clerk will confer with the petitioner concerning the form and style of the petition, issue and identification number, and secure an accurate, concise and positive ballot title from the City Attorney;
 - B. The petitioner shall have thirty days in which to secure the signatures of not less than 15% of the registered voters of the City of University Place, as of the last municipal general election, upon petition forms which contain the ballot title and full text of this ordinance; and
 - C. The City Clerk shall verify the sufficiency of the signatures on the petition, and if sufficient valid signatures are properly submitted, shall certify the referendum measure to the next election ballot within the City of University Place, or at a special election as provided pursuant to RCW 35.17.260(2).
- Section 3. Repealer. Ordinance 233, "An ordinance of the City of University Place, Washington, amending Chapter 4.35, Utility Tax, of the University Place Municipal Code to increase the utility tax rate from 2.5% To 4.0%, effective on January 1, 2000, providing for powers of referendum pursuant to RCW 35.17.2l40-360, and establishing a sunset provision which automatically repeals the utility tax rate increase established in this ordinance on December 31, 2004", enacted April 27, 1999 and Ordinance 234, "An ordinance of the City of University Place, Washington, amending Chapter 4.35, Utility Tax, of the University Place Municipal Code to increase the utility tax rate from 4.0% to 6.0%, effective on January 1, 2000, providing for powers of referendum pursuant to RCW 35.17.240-360, and establishing a sunset provision which automatically repeals the utility tax rate increase established in this ordinance on December 31, 2004", enacted April 27, 1999 are hereby repealed.
- Section 4. <u>Severability</u>. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

Section 5. <u>Effective Date and Term of Tax.</u> The Utility Tax Increase from 2.5% to 6.0% will take effect on December 1, 1999, and remain in effect indefinitely or until amended or repealed by the City of University Place City Council.

Section 6. <u>Publication and Effective Date</u>. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON SEPTEMBER 20, 1999.

Debbie Klosowski, Mayor

ATTEST:

Susan Matthew, City Clerk

APPROVED AS TO FORM:

Timothy X/Sullivan, City Attorney

Date of Publication:

September 24, 1999

Effective Date:

September 29, 1999

ORDINANCE NO. 254

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AMENDING SECTION 8.05.100 OF THE UNIVERSITY PLACE MUNICIPAL CODE TO INCREASE LICENSE FEES FOR THE OWNERSHIP, KEEPING, OR HAVING CONTROL OF DOGS AND/OR CATS.

Whereas, The City Council of the City of University Place, has adopted by reference Section 6.04.030, License Fees, of the Pierce County Code, which establishes the license fees for the ownership, keeping, or having control of dogs and/or cats in the City; and,

Whereas, due to financial considerations, it is necessary for the City of University Place to reduce its general fund support of the animal control services provided by the Tacoma-Pierce County Humane Society; and,

Whereas, the Tacoma-Pierce County Humane Society will provide a certain level of animal control to be strictly funded by the collection of an increased licensing fee for dogs and/or cats in the City of University Place; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. <u>Amending Section 8.05.100, PCC 6.04.030 amended.</u> Section 8.05.100 of the University Place Municipal Code is hereby amended as follows:

8.05.100 PCC 6.04.030 amended.

PCC 6.04.030, adopted by reference by Ordinance No. 42, is amended to read as follows:

6.04.30 License Fees

The license fees for the ownership, keeping, or having control of dogs and/or cats in the City shall be as follows:

A.	Adult Dogs; altered	\$10.00	\$20.00
	Unaltered	\$50.00	-
В.	Juvenile Dogs	\$3.00	\$6.00
C.	Adult Cats: altered	\$6,00	\$12.00
	Unaltered	\$50.00	
D.	Juvenile Cats:	\$3.00	\$6.00
E.	Reduced Rates for senior citizen	is, sixty	five years of age or older:
	1. Dogs, altered:	\$6.00	\$12.00
	unaltered:	\$28.00	
	2. Cats, altered	\$3.00	\$6.00
	unaltered:	\$28.00	

In order to receive the fee advantage for altered dogs and cats, an individual must provide either proof of alteration from a licensed veterinarian or a written statement from a licensed veterinarian that the spay/neuter procedure would be harmful to the animal.

Section 2. <u>Publication and Effective Date.</u> A summary of this ordinance consisting of its title shall be published in the official newspaper of the city. This ordinance shall be effective five days after publication, with fees effective December 31, 1999.

PASSED BY THE CITY COUNCIL ON NOVEMBER 15, 1999.

Debbie Klosowski, Mayor

ATTEST:

Susan Matthew, City Clerk

APPROVED AS TO FORM:

Timothy X. Syllivan, City Attorney

Published: November 19, 1999 Effective Date: November 24, 1999

ORDINANCE NO. 255

AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, ESTABLISHING AN ADMISSION TAX ON EVERY PERSON WHO PAYS AN ADMISSION CHARGE TO ANY MOVIE THEATER, ENTERTAINMENT OR SPECIAL EVENTS ACTIVITY

WHEREAS, RCW 35.21.280 authorizes cities to levy and fix an admission tax of not more than one cent on twenty cents or fraction thereof to be paid by the person who pays an admission charge to any place with the exception of an activity at an elementary or secondary school or events sponsored by non-profit tax-exempt organizations, and

WHEREAS, the City Council of the City of University Place does find that in order to provide revenues for the City an admission tax on persons who attend movie theaters or special temporary events should be levied in the amount of not more than one cent on twenty cents or fraction thereof, now, therefore,

THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Admissions Tax Levied. There is hereby levied a five percent tax on admissions for entertainment purposes in the City of University Place. The tax shall be collected from every person, without regard to age, who pays an admission charge. Such tax shall be measured by applying the five percent tax rate to the admission charge. 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 admission charge is paid.

No tax shall be levied on any person who is admitted free and from whom no compensating payment is obtained. The tax on reduced admission charges shall be charged on such reduced charge and not the regular admission charge. Such tax is to continue indefinitely or until amended or repealed by the City of University Place City Council.

Section 2. Definitions.

- A. Admissions Charge. "Admission charge," in addition to its usual and ordinary meaning is a monetary charge for an event open to the public, including, but not be limited to the following:
 - 1) A cover charge or a charge made for the use of seats or tables, reserved or otherwise, and similar accommodations;
 - 2) A charge made for season tickets or subscriptions;
 - 3) A charge made for food and refreshments in any place where any free entertainment, recreation, or amusement is provided;
 - 4) A charge made for admission to any theater, dance hall, cabaret, adult cabaret, amphitheater, club, haunted house, auditorium, stadium, athletic pavilion, park or field, baseball or athletic park, circus, amusement ride, or similar place;
 - 5) A charge made for admission to or rental or use of equipment or facilities to any public golf course, facility, or driving range; if the rental of equipment or facilities is necessary to the enjoyment of the golf course, facility, driving range, at which a

- general admission is charged, the combined charges shall be considered as the admission charge;
- 6) A charge made for automobile parking where the amount of the charge is determined according to the number of passengers in an automobile;
- 7) A sum of money referred to as "a donation" or similar payment which must be paid before entrance is allowed;
- "Admission charge" does not include public school activities and other non-profit endeavors.
- B. Non-profit tax-exempt organization. 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 public charity providing human services, or public education, 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 of 1954, as it may be amended or replaced from time to time.
- C. Secondary or elementary school. Any public or private primary, middle, junior high school, high school, or any accredited college, junior college, university, or the recognized student body association thereof.
- D. Special Temporary Event. Any spectator sporting event, entertainment event or activity, or construction, craft, or trade show that is open to the public in the City of University Place for less than 52 consecutive weeks shall be considered to be a special temporary event.
- E. For purposes of illustration only, the following table provides examples of activities subject to the admissions tax (this list is not all inclusive):

Taxable

- 1. for-profit theater
- 2. movie theater
- 3. cover charge in restaurant lounge
- 4. charge for admittance to adult entertainment cabaret
- 5. charge for entrance to a nonprofit organization's trade show, which is open to the public
- 6. charge for a golf course, which is open to the public

Not Taxable

- 1. annual dinner of a nonprofit organization, which is open to members only
- 2. tickets to a show performed for employees only of a for-profit company
- 3. Chamber of Commerce business fair, which is open to members only

Section 3. Exemptions. The following shall be exempt from any tax imposed under this ordinance:

- A. Admission charges for any activity of any elementary or secondary school.
- B. Events sponsored by non-profit tax-exempt organizations as defined in Section 2.

- The admission tax levied and imposed pursuant to Section 2 shall not apply to any person paying an admission charge to an event that is sponsored by a non-profit taxexempt organization, as defined in Section 2, when the conditions of both of the following are met:
 - a. The non-profit tax-exempt organization:
 - Publicly sponsors and through its members, representatives or personnel, promotes and publicizes the event; or
 - ii. Publicly sponsors the event and:
 - 1) Performs a major portion of the performance; or
 - 2) Supplies a major portion of the materials on exhibit; or
 - 3) 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.
 - The non-profit tax-exempt organization receives the use and benefits of the admission charges collected.
- 2. The exemption to the admission tax provided in this ordinance shall not apply to:
 - a. An event sponsored by a non-profit tax-exempt organization in which the fee paid for any one for-profit contract is greater than eighty percent (80%) of anticipated gross proceeds.
 - b. An event in which a non-profit tax-exempt organization lends its name as an endorsement to an ineligible person or organization for the purpose of invoking the tax exemption provided by this ordinance.

Section 4. <u>Deductions</u>. In computing the tax imposed by this ordinance, the following amounts may be deducted from the measure of the tax:

Amounts derived from business, which the City is prohibiting from taxing under the Constitution of this State or the Constitution or laws of the United States.

Section 5. 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 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 or she 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 or her 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.

- C. 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, the report and remittance of the admission tax may be required 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.
- D. Every person liable for the collection and payment of the tax imposed by this ordinance 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 ordinance, and all such tickets, books and records shall be open for examination and audit at all reasonable times by the Finance Director or his or her duly authorized agent.

Section 6. <u>Tax Delinquency - Unlawful Acts.</u> 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 as outlined below for each month overdue, which shall be added to the amount of the tax due, and remitted in the same manner.

- A. Penalties and Interest. For each payment due, if such payment is not made by the due date thereof, there shall be added penalty and interest as follows:
 - If paid 1 10 days late, there shall be a penalty of 10% added to the amount of tax due.
 - 2. If paid 11 20 days late, there shall be a penalty of 15% added to the amount of tax due.
 - If paid 21 30 days late, there shall be a penalty of 20% added to the amount of tax due.
 - 4. If paid 31 60 days late, there shall be a penalty of 25% added to the amount of tax
 - In addition to the above penalty, the City of University Place shall charge the taxpayer interest on all taxes due at the rate of one percent (1%) per month or portion thereof that said amounts are past due.
 - 6. The tax imposed by this ordinance, and all penalties and interest thereon, shall constitute a debt to the City of University Place, and may be collected by court proceedings in the same manner as any other debt which remedy shall be in addition to all other available remedies. Any judgment entered in favor of the City of University Place may include an award to the City of University Place of all court and collection costs including attorney's fees to the extent permitted by law. Amounts delinquent more than sixty days may be assigned to a third party for collection, in which case the

amount of any collection charges shall be in addition to all other amounts owed. Amounts due shall not be considered paid until the City of University Place has received payment for the full amount due or has discharged the amount due and not paid.

- B. Unlawful Acts. It is unlawful for any person liable for the tax imposed by this ordinance to fail to pay the tax when due or for any person, firm, or corporation to make any false or fraudulent return or any false statement in connection with the return.
- C. Criminal Penalties. Any person who intentionally violates any provision of this ordinance shall be guilty of a misdemeanor and upon conviction thereof punished pursuant to state law or City ordinance.
 - Violation a misdemeanor. Each violation of or failure to comply with the provisions of this ordinance constitutes a separate offense and is a misdemeanor.
 - Collection of tax by civil action. Any fee or tax due and unpaid and delinquent under the provisions of this ordinance and all penalties thereon, may be collected by civil action, which remedies shall be in addition to any and all other existing remedies.
 - 3. Violators designated. Any person who directly or indirectly performs or omits to perform any act in violation of the provisions of this ordinance, 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 ordinance and may be proceeded against as such.

Section 7. Application and Reporting.

- A. Any person, firm or corporation 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 ten (10) dollars, and it shall be posted in a conspicuous place where tickets of admission are sold or the activity occurs. This charge will be in addition to any regular business license that may be required. Annual renewals will be provided without a fee.
- B. The applicant for a certificate of registration shall furnish the Finance Director with the 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 or her 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 ordinance 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.

Section 8. Temporary Special Events - Remittance.

A. Immediate Remittance. Whenever any special temporary event makes an admission charge which is subject to the tax herein levied, the Finance Director may require the return and remittance of the admission tax immediately upon its collection, at the

conclusion of the series of performances or exhibitions or at such other times as the Finance Director shall determine.

B. Liability of owner of premises where special temporary events are held, For special temporary events, the owner, lessee or custodian shall be responsible for payment of this tax if the person conducting the event fails to do so.

Section 9. Record Retention Requirements. It shall be the duty of every person required to obtain an occupation license and liable for payment of any tax imposed by this ordinance to keep and preserve for a period of five years such books and records as will accurately reflect the amount of gross income from the business, and from which can be determined the amount of any tax for which the person may be liable under the provisions of this ordinance. The term books and records as used in this section includes but is not limited to copies of the taxpayers Federal income tax returns, Federal excise tax returns, State of Washington excise tax returns, and copies of income tax and excise tax audits made by the United States or the State of Washington and furnished to such person. The taxpayer books and records shall be available for examination at all reasonable times by the Finance Director and his or her duly authorized.

In the case of any taxpayer that does not keep the necessary books and records within the City of University Place for examination, it shall be sufficient if such person produce the same within the City of University Place as instructed or required by the Finance Director

Any taxpayer who fails, neglects, or refuses to produce such books and records in accordance with this ordinance, or fails to file a return, in addition to being subject to other civil and criminal penalties provided by this ordinance, is subject to a tax assessment in an amount determined by the Finance Director in accordance with the provisions of this ordinance, which tax assessment shall be deemed prima facie correct and shall be the amount of fee or tax owing to the City of University Place by the taxpayer unless the person can prove otherwise by competent evidence. The taxpayer shall be notified by mail by the Finance Director of the amount of tax assessment imposed pursuant to this Section, together with any penalty and/or interest due, and the total of such amounts shall thereupon become immediately due and payable.

Section 10. Quitting, Selling, or Transferring Business. Whenever any taxpayer quits business, or sells out, exchanges, or otherwise disposes of such business, any tax payable under this Ordinance shall become immediately due and payable, and such taxpayer shall, within 10 days thereafter, make a return and pay the tax due; and any person who becomes a successor shall become liable for the full amount of any unpaid tax, interest, and penalties and shall withhold from the purchase price an amount sufficient to pay any tax due from the taxpayer until such time as the taxpayer shall produce a receipt from the City of University Place showing payment in full of any tax due or a certificate that no tax is due. If such tax, interest or penalty has not been paid by the taxpayer within 10 days from the date of such sale, exchange, or disposal, the successor shall become liable for the payment of the full amount of tax, interest and penalties. The successors liability shall be limited to the purchase price or fair market value of the business purchased if no cash transaction took place. No successor shall be liable for any tax due from the taxpayer from whom the successor has acquired a business or stock of goods if the successor gives written notice to the Finance Director of such acquisition and no assessment is issued by the Finance Director within six months of receipt of such notice against the former operator of the business. Taxpayers account will remain on an active status and be subject to all taxes, penalties, and interest until such time as the Finance Director is notified in writing that the taxpayer has discontinued business activity within the City of University Place. Nothing in this ordinance is intended nor shall it be construed to prohibit the successor from engaging in business in the City of University Place pending resolution of the successors tax liability.

Section 11. <u>Tax Not Exclusive</u>. The tax levied herein shall be additional to any license fee or tax imposed or levied under any other law or under any other ordinance of the City of University Place.

Section 12. Appeal Procedure. Any taxpayer aggrieved by the amount of the fee or tax found by the Finance Director to be required under the provisions of this ordinance may, upon full payment of the amount assessed, appeal from such finding by filing a written notice of appeal with the City Clerk within 14 days from the date such taxpayer was given notified in writing of such amount. The Clerk shall, as soon as practicable, fix a time and place for the hearing of such appeal before the Hearing Examiner, which time shall be not more than 60 days after the filing of the notice of appeal, and shall cause a notice of the time and place thereof to be delivered or mailed to the appellant. At such hearing before the Hearing Examiner, the taxpayer shall be entitled to be heard and to introduce evidence in his or her own behalf. The Hearing Examiner shall render a decision, together with findings of fact and conclusions of law, based upon the evidence presented at the time of the hearing and all material on file in the case. The Hearing Examiners decisions shall indicate the correct amount of the fee or tax owing. The Hearing Examiners decision shall be final. The appellant or the City of University Place may appeal the decision of the Hearing Examiner to the Superior Court of Washington in and for Pierce County within 30 days after the date of the Hearing Examiners decision. The Hearing Examiner may, by subpoena, require the attendance of any person, and may also require him/her to produce any pertinent books and records. Any person served with such subpoena shall appear at the time and place therein stated and produce the books and records required, if any, and shall testify truthfully under oath administered by the Hearing Examiner as to any matter required of him/her pertinent to the appeal, and it shall be unlawful for him/her to fail or refuse so to do.

Section 13. Over or Underpayment of Tax. In the event that any person makes an overpayment, and within two years of the date of such overpayment makes application for a refund or credit, the persons claims shall be allowed and a refund made by the City of University Place upon determination by the Finance Director that no other sums are owed by the person to the City of University Place. If a person determines that the tax has been underpaid and without notice by any party pays the amount due to the City of University Place, such amount shall not be subject to penalty.

Section 14. <u>Referendum Procedure.</u> A referendum petition with respect to this ordinance may be filed with the City Clerk within seven days of the passage of this ordinance. The referendum procedures set forth in RCW 35.17.240 through 35.17.360, as hereafter amended, shall apply, with the following additions and amendments as required by RCW 35.21.706:

- A. Within ten days of the filing of the petition, the City Clerk will confer with the petitioner concerning the form and style of the petition, issue and identification number, and secure an accurate, concise and positive ballot title from the City Attorney;
- B. The petitioner shall have thirty days in which to secure the signatures of not less than 15% of the registered voters of the City of University Place, as of the last municipal general election, upon petition forms which contain the ballot title and full text of this ordinance; and
- C. The City Clerk shall verify the sufficiency of the signatures on the petition, and if sufficient valid signatures are properly submitted, shall certify the referendum measure to the next election ballot within the City of University Place, or at a special election as provided pursuant to RCW 35.17.260(2).

Section 15. <u>Severability</u>. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

Section 16. <u>Publication and Effective Date</u>. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take five days after publication, with fees effective December 31, 1999.

Debbie Klosowski, Mayor

PASSED BY THE CITY COUNCIL ON NOVEMBER 15, 1999.

ATTEST:

Susan Matthew, City Clerk

APPROVED AS TO FORM:

Timothy X. Sullivan, City Attorney

Date of Publication:

November 19, 1999

Effective Date:

November 24, 1999

ORDINANCE NO. 256

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AMENDING CHAPTER 12.15 OF THE UNIVERSITY PLACE MUNICIPAL CODE (UPMC) BY AMENDING SECTIONS 12.15.032 FEES AND 12.15.034 CREDITS AND ADOPTING SECTIONS 12.15.037 LIEN DELINQUENT CHARGES AND FORECLOSURES. OVERPAYMENT REFUND REQUESTS AND 12.15.039 ADMINISTRATIVE REFUNDS OR ADJUSTMENTS

WHEREAS, upon incorporation the City of University Place established a storm drainage and surface water management utility and through Ordinance No. 57 and Ordinance No. 202, the City Council established storm water and surface water management services which the City provides; and

WHEREAS, the city's storm drainage and surface water management utility needs to accumulate further reserves to pay for necessary system improvements identified in the City's Comprehensive Storm Drainage Plan; and

WHEREAS, the listing of Coho Salmon in Puget Sound as an endangered species will inevitably require upgrading city owned surface water and storm water runoff facilities to improve water quality of runoff flowing into Puget Sound; and

WHEREAS, adoption of Phase II of the National Pollutant Discharge Elimination System rules which mandate storm water improvements for the city; and

WHEREAS, the storm drainage and surface water management fee needs to be adjusted to better reflect the costs of the facilities which the City needs to build to improve water quality; Now Therefore,

THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Amending Section 12.15.032 Fees to Chapter 12.15 of the University Place Municipal Code. The University Place Municipal Code is hereby revised to amend Section 12.15.032 to Chapter 12.15 as follows:

Section 12.15.032 Fees

Storm drainage and surface water management fees shall be as follows:

Land Use Category	An	nual Charge	Basis
Single Family Residential	\$ 110.00	\$120.00	Per dwelling unit
Duplex	\$141.90	<u>\$154.80</u>	Per duplex
Duplex/Condo	\$ 141.90	<u>\$77.40</u>	Per duplex/condo <u>dwelling</u> <u>unit</u>
Multi-Family		•	
Pavement and building rate	\$0.0417	\$0.045500	Per square foot impervious
Gravel Rate	-	\$0.034125	Per square foot impervious
Minimum charge per parcel		<u>\$0.00</u>	

Mobile Home Parks Pavement and building rate	\$6 0.71	\$66.23	Per occupied site, plus
	\$0.0417	\$0.045 <u>5</u>	Per square foot impervious
Gravel Rate		\$66.23 \$0.034125	Per occupied site, plus Per square foot impervious
Minimum charge per unit		\$66.23 \$0.034125	Per occupied site, plus Per square foot impervious
Office/Condo Conversions Per square foot impervious Minimum charge	\$0.0417	\$0.045500 \$0.00	Per square foot impervious
Other Parcels Pavement and building rate Gravel rate Minimum charge	\$0.0417	\$0.045500 \$0.034125 \$0.00	Per square foot impervious Per square foot impervious
Vacant Undeveloped Pavement and building rate Gravel rate Area charge per acres Minimum charge		\$0.045500 \$0.034125 \$0.00 \$0.00	Per square foot impervious Per square foot impervious
Forest and Timberland Pavement and building rate Gravel rate Area charge per acres Minimum charge		\$0.045500 \$0.034125 \$0.00 \$0.00	Per square foot impervious Per square foot impervious
State & County Public Highways Pavement and building rate Gravel rate	\$ 0.0125	\$0.013600 \$0.010200	Per square foot impervious Per square foot impervious

All parcels are subject to a service charge except the following exempt parcels:

- All parcels consisting of mineral rights only.
- All parcels consisting entirely of tidelands, rivers, lakes, creeks and/or streams.
- All vacant/undeveloped parcels less than two-tenths (2/10ths) of an acres (8,712 square feet) in total area.
- All parcels within national parks due to minuscule amount of impervious area compared to the pristine nature of total acreage projected for future generation.
- Cemetery parcels that are owned by a nonprofit corporation or an association which
 receive no profit from the sale of lots or crypts.

Section 2. <u>Amending Section 12.15.034 Credits to Chapter 12.15 of the University Place Municipal Code.</u> The University Place Municipal Code is hereby revised to amend Section 12.15.034 to Chapter 12.15 as follows:

Section 12.15.034 Credits

- A. To qualify for a service charge credit, the following must be completed before October 1 of the year preceding the year for which the owner is requesting credit. Service charge credits as provided for in this Section will become effective January 1 of the following year.
 - 1. Credit will apply to all categories listed in Section 12.15.034.
 - 2. To qualify for a credit, the Owner of Record shall provide the City engineering calculations in accordance with design criteria acceptable to the City and "As Constructed Plans" stamped and signed by the Owner's Engineer to verify that the drainage system has adequate capacity to meet the design criteria for which the Owner is requesting a credit. The Owner's engineer shall prepare and stamp an operation and maintenance manual for the Owner to follow in maintaining any drainage pond. The City shall be provided a copy of the maintenance manual. New calculations, "As Constructed Plans", and a maintenance and operation manual shall be prepared and stamped by the Owner's engineer if the drainage pond is increased or decreased in size from the original credit request.
 - 3. Annually, each Owner of Record shall provide a certified statement by October 1 of the year preceding the year for which the Owner of Record is requesting credit on a form provided by the City verifying that all specified maintenance has been performed in accordance with the operation and maintenance manual prepared by the Owner's engineer on the facility for the calendar year the credit is being requested. Once every five (5) years, the certified statement shall be stamped and signed by the Owner's Engineer.
 - 4. Each Owner of Record shall provide a "hold harmless" statement on a form provided by the City that indemnifies the City from any loss incurred arising from the construction and maintenance and operation of the Owner's drainage facilities for both water quantity and quality runoff from the owner's property. This statement shall be signed by the Owner and will be recorded with the County Auditor by the Owner of Record. The Owner of Record shall provide the City a copy of the agreement with the County Auditor recording number stamped on it before the application will be deemed completed.
 - 5. Each Owner of Record must enter into an agreement with the City that allows the City to enter onto the Owner's parcel to inspect the drainage facility and verify all information submitted by the owner and his/her Engineer. The agreement form will be provided by the City. This agreement will be recorded with the County Auditor by the Owner of Record. The Owner of Record shall provide the City a copy of the agreement with the County Auditor recording number stamped on it before the credit application will be deemed completed.

6. The following credits shall apply to on-site improvements which in the opinion of the City's Public Works Director meet or exceed the following guidelines:

		CREDIT PERCENTAGES	•
Retention Facility	Percent Credit	Detention Facility	Percent Credit
100 Year Storage	0 <u>25</u>	100 Yr. Storage; Release rate of 50% of predeveloped discharge rate for a 2 year storm.	25
50 Year Storage	<u>0</u>	50 Year Storage; 2 Year Release	15
25 Year Storage	<u>0</u>	25 Year Storage; 2 Year Release	10
10 Year Storage	<u>0</u>	10 Year Storage; 2 Year Release	0

B. The annual service charge credit will be calculated by multiplying the annual service charge by the applicable credit percentages when all of the conditions established for a service charge credit have been met.

In order to determine the credit percentage for a retention/detention facility, the following shall apply:

- 1. For a retention/detention facility whose year storage is not listed in Section 12.15.034, the next lower year storage category will be used.
- 2. The release rate shall be equal to or less than a two-year release rate for a detention facility with a 10, 25, or 50-year storage. The release rate for a detention facility with a 100-year storage shall be equal to or less than 50 % of the predevelopment discharge rate for a 2-year storm.
- 3 No credit shall be given for a retention/detention facility with less than a 10-year storage.
- C. The annual service charge shall be calculated based on impervious area and parcel status as of January 1 each year. The annual service charge shall be due and payable to the City of University Place on or before April 30 of each year and shall be paid together with payment of real property tax upon the parcel, if any, and shall be delinquent thereafter. Provided, that if real property tax upon the parcel payable in that year exceeds thirty dollars, and one-half of the tax, together with one-half of the annual service charge provided by this section are paid on or before April 30 of such year, the remaining one-half of the annual service charge shall be due and payable on October 30, next following, or at the time of payment of the remaining tax on the parcel, whichever is earlier, and shall be delinquent after that date. The service charge shall be incorporated on the Pierce County Real Property Tax Statement.
- D. Parcel characteristics affecting the service charge which are altered after January 1 of any year shall not be the basis for recalculation of the service charge until the next year.

Section 3. Adopting a new section 12.15.037 Lien for Delinquent Charges and Foreclosures to Chapter 12.15 of the University Place Municipal Code. The University Place Municipal Code is hereby amended to add a new Section 12.15.037 to Chapter 12.15 as follows:

Section 12.15.037 Lien for Delinquent Charges and Foreclosures

- A. Pursuant to RCW 36.89.090, the City of University Place shall place a lien on any parcel with a delinquent service charge, including interest thereon. Such liens shall be effective and shall be enforced and foreclosed in the same manner as provided for sewerage liens of cities and towns by RCW 35.67.200 through 35.67.290, except that the service charge lien shall be effective for a total not to exceed one year's delinquent service charges without the necessity of any writing or recording of the lien with the County Auditor, as provided for in RCW 36.89.093, in lieu of the provisions provided for in RCW 35.67.210. In accordance with RCW 36.89.094, the City may commence to foreclose a service charge lien after three (3) years from the date surface water management charges become delinquent, in lieu of the provisions provided from in RCW 35.67.230.
- B. Delinquent service charges shall bear interest provided in RCW 36.89.090, RCW 36.89.092, and RCW 35.67.200 at the rate of twelve percent (12%) per annum, or such rate as may thereafter be authorized by law, computed on a monthly basis from the date of delinquency until paid. Interest shall be calculated at the rate in effect at the time of payment of the charges regardless of when the charges were first delinquent.

Section 4. Adopting a new section 12.15.038 Overpayment Refund Requests to Chapter 12.15 of the University Place Municipal Code. The University Place Municipal Code is hereby amended to add a new Section 12.15.038 to Chapter 12.15 as follows:

Section 12.15.038 Overpayment Refund Requests

Any person may request the refund of service charge overpayment(s) by doing so in writing to the Director of Public Works. The basis of the request explaining the nature of the overpayment should be clearly stated. The Director shall investigate the request and authorize a refund or credit if he or she finds an overpayment to have occurred. The Public Works Director will use best efforts to notify the requesting party of his/her decision in writing within sixty (60) days of receipt of the request. The Public Works Director will specify in the written decision the basis for authorizing or denying the refund request. No refund may be authorized for overpayment paid or levied more than three (3) years prior to the date the written request is received.

Section 5. Adopting a new section 12.15.039 Administrative Refunds or Adjustments to Chapter 12.15 of the University Place Municipal Code. The University Place Municipal Code is hereby amended to add a new Section 12.15.039 to Chapter 12.15 as follows:

Section 12.15.039 Administrative Refunds or Adjustments

The Public Works Director may authorize in writing, a refund credit, or adjustment for any amounts when he or she determines that an error, miscalculation, or mistake has occurred which affects any ratepayer(s). The nature of the error, miscalculation, or mistake should be documented together with steps taken to prevent future occurrences. No refunds, credits, or service charge adjustments may be authorized pursuant to this Section unless brought to the attention of the Public Works Director within three (3) years of the occurrence of the error,

miscalculation, or mistake. In any instance where a refund or credit is authorized by the Public Works Director, the amount shall not include any interest.

Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances by a court of competent jurisdiction shall not be affected.

Section 7. Publication and Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. This Ordinance shall be effective five (5) days after its publication, with fees effective December 31, 1999.

Passed by the City Council on November 15, 1999.

Debbie Klosowski, Mayor

ATTEST:

Susan Matthew, City Clerk

APPROVED AS TO FORM:

Timothy 🗴 Sullivan, City Attorney

Published:

November 19, 1999

Effective Date:

November 24, 1999

RESOLUTION NO. 240

A RESOLUTION OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AMENDING PLANNING AND DEVELOPMENT FEES

WHEREAS, by ordinance, the City has authorized fees and charges for services provided by the City; and

WHEREAS, the City desires to recover the cost of services where fees may be appropriate;

WHEREAS, the City recognizes the need to amend the existing Planning and Development Fees to more accurately reflect the cost of processing these permits; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AS FOLLOWS:

- Section 1. <u>Planning and Development Fees Amended</u>. Planning and Development Fees are hereby amended as set forth in Schedule 'A' attached to this resolution and incorporated herein.
- Section 2. <u>Effective Date</u>. This Resolution shall take effect immediately upon adoption, with fees to be effective December 31, 1999.

ADOPTED BY THE CITY COUNCIL ON NOVEMBER 15, 1999.

Debbie Klosowski, Mayor

ATTEST:

Susan Matthew, City Clerk

SCHEDULE 'A'

PLANNING & DEVELOPMENT FEES

PLATS & BOUNDARIES

Flat Fees Binding Site Plans Short Plats Short Plat Amendment Boundary Line Adjustments Lot Combinations	\$1,400 1,500 900 500 250
Base Fees (+\$40/hour ove Preliminary Plats	r 10 hours + Consultant Costs, if any)
< 10 acres 10 to 50 acres > 50 acres	\$3,600 3,600 3,600
Plat Amendments	
Minor Major	\$500 2,600
Final Plats	\$1,000 Plus \$30/lot
Plat Alterations Without Hearing With Hearing	\$300 \$300 \$2,600
LAND USE PERMITS	
Flat Fees	
Variances Major Minor	\$1,600 800
Administrative Use Permits Garages Home Occupations Telecommunications	\$250 100 500

QUASI JUDICIAL PERMITS

·	
Base Fees (+\$40/hour over 10 hours + Consultant Costs, if any) Planned Development Districts	
< 10 acres	\$3,600
10 to 50 acres	3,600
> 50 acres	3,600
	•
Conditional Use Permits	
< 10 acres	\$3,600
10 to 50 acres	3,600
> 50 acres	3,600
	·
Nonconforming Use Permits	
< 10 acres	\$3,600
10 to 50 acres	3,600
> 50 acres	3,600
Amendments	
Major	\$3,600
Minor	500
Note: -1/2 fee is charged when a land use permit is combined with a subdivision.	
SHORELINE PERMITS	
Flat Fees	
Revision	\$450
	ψ.50
Base Fees (+\$40/hour over 10 hours + Consultant Costs, if any)	
Substantial Development	

Substantial Development	
< 10,000	\$3,600
10,000 — 100,000	3,600
100,000 – 250, 000	3,600
250,000 - 500,000	3,600
500,000 - 1,000,000	3,600
>1,000,000	3,600
Conditional Use	3,600
Variance	3,600
Unclassified Use	3,600

NOTE: 1/2 fee is charged when a Shoreline Permit is combined with a Subdivision

ENVIRONMENTAL

at.	E	_	00
 	_	_	_

Environmental Checklist	\$500
Expanded Checklist	700

Base Fees (+\$40/hour over 10 hours + Consultant Costs, if any)

EIS \$400 +

Consultant Cost

URBAN FOREST MANAGEMENT

Flat Fees

Tree Removal Permit

\$500

WETLANDS

Flat Fees

Wetland Verification	\$170 +
Walter I Po	Consultant Cost
Wetland Report	\$500 +
	Consultant Cost
Mitigation Plan	\$500 +
	Consultant Cost
Variance	\$1,500 +
	Consultant Cost
Reasonable Use Exemption	\$1,500 +
	Consultant Cost

NOTE: ½ fee is charged when a Wetland Permit is combined with a Land Use Permit or Subdivision

OTHER FEES

Flat Fees

Consultant Time	Cost
Appeals and Reconsideration	
Reconsideration	\$500
Administrative Appeal	500
Amendments to Plans	
Plans	\$2,500
Regulations	2,500
Annexation Petititons	2,200
Expiration 6 Devention	
Expiration & Revocation Revocation	\$1,800
Relinquishment w/o Hearing	500
Relinquishment w/ Hearing	1,800
Time Extension	500
Design Standards	and the second of the second o
Basic	\$500
Planning Commission	1,000

RESOLUTION NO. 241

A RESOLUTION OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AMENDING PUBLIC WORKS PERMIT AND SERVICES FEES

WHEREAS, by ordinance, the City has authorized fees and charges for services provided by the City; and

WHEREAS, the City desires to recover the cost of services where fees may be appropriate;

WHEREAS, the City recognizes the need to amend the existing Public Works Permits and Service Fees; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AS FOLLOWS:

Section 1. <u>Public Works Permits and Service Fees Amended</u>. Public Works Permits and Service Fees are hereby amended as set forth in Schedule 'A' attached and made a part of this resolution.

Section 2. <u>Effective Date</u>. This Resolution shall take effect immediately upon adoption, with fees effective December 31, 1999.

ADOPTED BY THE CITY COUNCIL ON NOVEMBER 15, 1999.

Debbie Klosowski, Mayor

ATTEST:

Susan Matthew, City Clerk

SCHEDULE 'A' PUBLIC WORKS PERMITS AND SERVICE FEES

Site Development Permit	\$200.00
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Right of Way Permit \$160.00

Blanket Right-of-Way Permit \$100.00

Grading Permit Fee Per section 3310 of the Uniform

Building Code, current edition

Grading Plan Review Fee Per section 3310 of the Uniform

Building Code, current edition

Engineering Plan Review Fee \$400 Base Fee plus \$40.00 per

hour for time in excess of five hours

Right of Way Vacation \$1,155.00 Application Fee

\$600.00 Final Process Fee

Review of Geological Assessment \$200.00

Review of Geological Reports \$300.00

Commercial Inspection *3% of Estimated Total Project Cost

Residential Inspection *2% of Estimated Total Project Cost

Investigation Fees / Work Without a Permit Per section 107 of the Uniform

Building Code, current edition

^{*}An itemized project cost estimate shall be prepared and stamped by a licensed professional engineer and submitted to the City for approval. This engineer's estimate shall be used to determine the project cost.

RESOLUTION NO. 242

A RESOLUTION OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AMENDING MECHANICAL CODE FEES AS PREVIOUSLY AMENDED UNDER RESOLUTION NO. 155

WHEREAS, by Ordinance, the City has authorized fees and charges for services provided by the City; and

WHEREAS, Resolution No. 155 amended Mechanical Code fees, and

WHEREAS, the City desires to recover the cost of services where fees are appropriate; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF UNIVERSITY PLACE AS FOLLOWS:

Section 1. <u>Mechanical Code Fees Amended</u>. Mechanical Code Fees are hereby amended as set forth on Schedule A, Mechanical Code Fees, attached hereto and made part of this Resolution.

Section 2. <u>Effective Date</u>. This Resolution shall take effect on immediately upon adoption, with fees effective December 31, 1999.

ADOPTED BY THE CITY COUNCIL ON NOVEMBER 15, 1999.

Debbie Klosowski, Mayor

ATTEST:

Susan Matthew, City Clerk

SCHEDULE 'A'

MECHANICAL CODE FEES

Danish tananananananananananananananananananan		
Permit Issuance 1. For the issuance of each permit	\$22.00	\$23.50
For issuing each supplemental permit for which the original permit	Ψωμσσ	425.00
has not expired, been canceled or finaled.	\$ 6.50	\$7.25
1		
Unit Fee Schedule		
1. Furnaces. For the installation or relocation of each forced air or		
gravity-type furnace or burned, including ducts and vents attached to such	*40.0 5	# 44.00
appliance, up to and including 100,000 Btu/h (29.3 kW).	\$13.25	\$14.80
For the installation or relocation of each forced air or gravity-type furnace or		
burner, including ducts and vents attached to such an appliance over 100,000		
Btu/h (29.3 kW)	\$16.25	\$18.20
For the installation or relocation of each floor furnace, including vent	\$13.25	\$14.80
For the installation or relocation of each suspended heater, recessed wall heater	640.0 E	#4 4 OO
or floor mounted unit heater	\$13.25	\$14.80
2. Appliance Vents. For the installation, relocation, or replacement of each		
appliance vent installed and not included in an appliance permit	\$ 6.50	\$7.25
3. Repairs and Additions. For the repair of, alteration of, or addition to each		
heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating,		
cooling, absorption or evaporation cooling system, including installation of controls	040.05	^
regulated by the Mechanical Code	\$12.25	\$13.70
4. Boilers, Compressors, and Absorption Systems. For the installation or		
relocation of each boiler or compressor to and including three horsepower		
(10.6 kW) or for each absorption system to and including 100,000 Btu/h (29.4 kW)	\$13.15	\$14.70
For the installation or relocation of each boiler or compressor over three		
horsepower (10.6 kW) to and including 15 horsepower (52.7 kW) or for each		
absorption system over 100,000 Btu/h (29.3 kW) to and including 500,000		
Btu/h (146.6 kW)	\$24.25	\$27.15
For the installation or relocation of each boiler or compressor over 15		
horsepower (57.7 kW) to and including 30 horsepower (105.5 kW), or for		
each absorption system over 500,000 Btu/h (146.6 kW) to and including		
1,000,000 Btu/h (293.1 kW)	\$33. 25	\$37.25
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For the installation or relocation of each boiler or compressor over 30		
horsepower (105.5 kW) to and including 50 horsepower 176 kW), or for each		
absorption system over 1,000,000 Btu/h (293.1 kW) to and including	0.40.50	
1,750,000 Btu/h 512.9 kW)	\$49.50	\$55.45
For the installation or relocation of each boiler or compressor over 50		
horsepower (176 kW), or for each absorption system over 1,750,000		
Btu/h (512.9 kW)	\$82.75	\$96.65

5. Air Handlers For each air-handling unit to and including			
10,000 cubic feet per minute		9.5-0	\$10.65
O Francis O) Francis A stable			
 Evaporative Coolers For each evaporative cooler other than the portable type 		\$ 9.50 -	\$10.65
the portable type	-	40.00	410.00
7. Ventilation and Exhaust. For each ventilation fan connected to a single duct		\$6.50	\$7.25
For each ventilation system which is not a portion of a heating or air-			
conditioning system authorized by a permit		\$ 9.50	\$10.65
For the installation of each hood which is served by a mechanical exhaust, including the ducts for such a hood.		\$ 9.50	\$10.65
		1	
8. Incinerators. For the installation or relocation of each domestic type		#46 DE	
incinerator		♦10.∠0	\$18.20
For the installation or relocation of each commercial or industrial type			
incinerator		\$66.50	
9. Miscellaneous. For each appliance or piece of equipment regulated			
by the Mechanical Code but not classes in other appliance categories, or for			
which no other fee is listed in the Code		\$9.50	\$10.6 5
When Appendix B. Chapter 13., is applicable (See Section 103), permit fees for fuel			
gas piping shall be as follows:			
For each gas pipe system of one to four outlets For each gas piping system additional outlets over 5, each		\$5.50 -\$1.00	\$6.5C \$1.5C
i or each gas piping system additional outlets over 5, each		-ψ1.00	Ψ1.00
When Appendix B, Chapter 14, is applicable)See Section 103, permit fees for process			
piping shall be as follows: For each hazardous process piping system (HPP) on one to four outlets	\$5.00		
For each piping system of five or more outlets, per outlet	\$1.00		
For each non hazardous process piping system (NPP) of one to four outlets	\$2.00		
For each piping system of five or more outlets, per outlet	\$.50		
Other Inspection and Fees			
1. A plan review fee of 25% shall be assessed for other than R-3 and U occupancies			
Inspection fees outside business hours, per hour		•	\$49.50
3. Reinspection fees assess under provisions of Section 116.6, per inspection		\$44.25	\$49.50
Inspection for which no fee is specifically indicated, (Minimum charge - one half hour		\$44. 2 5	\$49,50
5. Additional plan review required by changes, additions, or revisions to			•
plans or to plans for which an initial review has been completed		644.05	ድለስ ደብ
(minimum charge one-half hour)		\$44.23	\$49.50
*Or the total hourly cost to the City, whichever is greatest. The cost shall include			
supervision, overhead, equipment, hourly wages and fringe benefits of the employees			

involved.

RESOLUTION NO. 243

A RESOLUTION OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AMENDING PLUMBING CODE FEES AS PREVIOUSLY AMENDED UNDER RESOLUTION NO. 155.

WHEREAS, by Ordinance, the City has authorized fees and charges for services provided by the City; and

WHEREAS, Resolution No. 155 amended Plumbing Code fees; and

WHEREAS, the City desires to recover the cost of services where fees are appropriate; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF UNIVERSITY PLACE AS FOLLOWS:

Section 1. <u>Plumbing Code Fees</u>. Plumbing Code Fees are hereby amended as set forth on Schedule A, Plumbing Code Fees, attached hereto and made part of this resolution.

Section 2. <u>Effective Date</u>. This Resolution shall take effect immediately upon adoption, with fees effective December 31, 1999.

ADOPTED BY THE CITY COUNCIL ON NOVEMBER 15, 1999.

Debbie Klosowski, Mayor

ATTEST:

Susan Matthew, City Clerk

SCHEDULE 'A'

PLUMBING CODE FEES

1. 2.	Permit Issuance For issuing of each supplemental permit	\$20.00 \$10.00	\$23.50
		,	
Uni	t fee schedule (in addition to item 1 or 2 above)		
1.	For each plumbing fixture or trap or set of fixtures on one trap (including water,		
	drainage, piping and backflow protection therefor)		
2.	For each building sewer and each trailer park sewer	\$15.00	-\$24.65
3.	Rainwater systems - per drain (inside building)	-\$7.00	\$9.80
4	For each cesspool (when permitted)		
\$25	5.00		
5	For each private sewer disposal system		-
\$40	0.00		
6.	For each water heater and/or vent	\$7.00	\$12.30
7.	For each industrial waste pre-treatment interceptor including its trap and		
	vent, excepting kitchen type grease interceptors functioning as fixture traps	\$ 7.00-	\$19.90
8.	For installation, alteration or repair of water piping and/or water treating		
	equipment, each	\$7.00	
9.	For repair or alteration of drainage or vent piping, each fixture	\$7.00	
10.	For each lawn sprinkler system on any one meter including backflow		
	protection devices therefore	\$7.00	\$14.80
11.	For atmospheric type vacuum breakers not included in item 2 1:		
	1 to 5	\$5.00	\$12.30
	over 5, each	\$1.00	\$2.25
	For each backflow protective device other than atmospheric type vacuum type		
bre	akers:		
	2 inches and smaller	\$7.00	12.30
	Over 2 inches	\$15.00 -	\$24.65
Oth	ner inspection and fees		
1.	A plan review of 25% of the permit fee shall be assessed for other than R-3 and U		
occ	cupancies.		
2.	Inspections outside of normal business hours (min. charge - 2 hours)	\$30.00	\$49.50
3.	Reinspection fee assessed under Section	\$30,00	\$49.50
4.	Inspections for which no fee is specifically indicated (min, charge 2 hours)	\$30.00	\$49.50
5.	Additional plans review required by changes, additions or revisions to		
	approved plans (minimum charge one- half hour)	\$30.00	\$49.50

RESOLUTION NO. 244

A RESOLUTION OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AMENDING FEES AND CHARGES FOR PARK FACILITY RENTALS AND ESTABLISHING FEES AND CHARGES FOR OTHER PUBLIC FACILITY RENTALS.

WHEREAS, by Ordinance, the City has authorized fees and charges for services provided by the City: and,

WHEREAS, the City has established policies and procedures for the rental of public facilities, including the Town Hall Room at City Hall and the Senior Community Center;

WHEREAS, the Parks & Recreation Commission has recommended that the general community hourly rental rate for the Senior Community Center be amended; and

WHEREAS, it is necessary to establish rental rates for the Town Hall Room at City Hall; NOW, THEREFORE,

BE IT RESOVED BY THE CITY OCUNCIL OF UNIVERSITY PLACE AS FOLLOWS.

Section 1. <u>Rental Fees for the Senior Community Center Amended.</u> Rental Fees for the Senior Community Center are amended as set forth on Schedule 'A' attached hereto and made part of this resolution.

- Section 2. Rental Fees Established for the Town Hall Room at City Hall.

 Rental fees are established for the Town Hall Room at City Hall as set forth on Schedule 'B' attached hreto and made part of this resolution.
- Section 3. <u>Effective Date.</u> This resolution shall take effect immediately upon adoption, with fees effective December 31, 1999.

ADOPTED BY THE CITY COUNCIL ON NOVEMBER 15, 1999.

Debbie Klosowski, Mayor

Attest:

Susan Matthew, City Clerk

SCHEDULE 'A'

Senior/Community Center Facility Rental Policy Categories, Usage Time Priorities and Fees Schedule

I. User Groups/Categories

<u>Category I</u> - Includes the user groups of Profit, Social and Fundraising and requires city staff to be in attendance during rental. Two (2) hour rental minimum required.

<u>Category II</u> - Includes user groups of City recreation programs, Community, and City departments and do not require city staff to be in attendance during rental. One hour rental minimum required.

II. Facility Usage Time

There are three primary facility usage times available for rental and use besides the City of University Place Park and Recreation Senior programs scheduled Monday – Friday, 9:00am – 2:00pm. There are classified as Prime, Non-Prime and Program times and are illustrated in the following chart.

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
7:00am							and the second
8:00							
9:00							
10:00							
11:00							
Noon							
1:00							
2.00							
3:00							
4:00							
5:00				- 1 A B			
6:00					-		
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8.00							医
9:00							在
10:00							
11:00							
12:00						•	

Programmed Time
Non-Prime Time
Prime Time

Programmed Time

Monday – Friday 7:

7:00 a.m. - 5:00 p.m.

Non-Prime Time

Monday – Thursday 5:00 p.m. – 11:00 p.m. Sunday 7:00 a.m. – 11:00 p.m.

Prime Time

Friday 5:00 p.m. – 1:00 a.m. Saturday 7:00 a.m. – 1:00 a.m.

III. Scheduling Priorities

In order to have a balanced and equitable rental usage, the following scheduling priorities have been established.

-	Group	Prime Time	Non-Prime Time
Category I	Profit	1 ⁵¹	2 ^{no}
, – -	Social	1 st	2 nd
	Fundraising	1 st	2 nd
Category II	Recreation Programs	2110	1 st (Tuesday and Thursday)
	Community	2 nd	1 st (Monday and Wednesday)
	City Department	3 rd	310

IV. Rental Fees
The following are the different user groups with related rental fees. There are non-resident and resident rates based upon the residency of the applicant.

	Group	Fee (Hourly)	
		Non-Resident	Resident
Category I	Profit	\$83.00	\$71.50
<i>y</i>	Social	\$57.50	\$50.00
	Fundraising	\$57.50	\$50.00
	Youth Fundraiser	\$14.50	\$12.50
Category II	Recreation Programs	N/A	\$5.50
- •	Community	\$ 6.50 _\$30.00	\$ 5.50 \$25.00
	City Departments	N/A	\$0

SCHEDULE 'B' Town Hall Room Facility Usage Time and Fees Schedule

Usage Time

	Friday	Saturday	Sunday
7:00 a.m.			
8:00 a.m.			
9:00 a.m.			
10:00 a.m.			
11:00 a.m.			
12:00 noon			
1:00 p.m.			
2:00 p.m.			
3:00 p.m.			
4:00 p.m.			
5:00 p.m.			
6:00 p.m.			
7:00 p.m.			
8:00 p.m.			
9:00 p.m.			
10:00 p.m.			
11:00 p.m.			
12:00 midnight			

(Set-up prior to 5:00 p.m. should be coordinated with City Hall staff.)

Fees Schedule

·	CATEGORY I	CATEGORY II	CATEGORY III
	Resident:	Non-Resident:	Non-Resident:
	Profit/Non-Profit	Non-Profit	Profit
With Kitchen	\$60.00 per hour	\$75.00 per hour	\$90.00 per hour
Without Kitchen	\$50.00 per hour	\$62.50 per hour	\$75.00 per hour

RESOLUTION NO. 245

A RESOLUTION OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, ESTABLISHING PARKS & RECREATION PROGRAM FEES.

WHEREAS, by ordinance, the City has authorized fees and charges for services provided by the City; and

WHEREAS, the City desires to recover the cost of services where fees may be appropriate;

WHEREAS, the City recognizes the need to adopt Parks and Recreation Program fees to recover the cost of services provided; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AS FOLLOWS:

- Section 1. <u>Parks and Recreation Program Fees Adopted.</u> Parks and Recreation Program Fees are adopted as set forth in Schedule 'A' attached to this resolution and incorporated herein.
- Section 2. <u>Severability</u>. If any provision of this Resolution or its application to any person or circumstance is held invalid, the remainder of the Resolution or the application of the provision to other persons or circumstances by a court of competent jurisdiction shall not be affected.
- Section 3. <u>Effective Date</u>. This Resolution shall take effect immediately upon adoption, with fees effective December 31, 1999.

ADOPTED BY THE CITY COUNCIL ON NOVEMBER 15, 1999.

Debbie Klosowski, Mayor

ATTEST:

Susan Matthew, City Clerk

SCHEDULE 'A' - 100% + 10% of Overhead

PARKS AND RECREATION PROGRAM FEES*

Recreation Program	In City	Out of City
Youth Team Sports	\$54	\$59
1-day Clinic	\$7	\$8
4-day Clinic	\$31	\$34
Fun Run	\$23	\$25
Trips & Tours	\$14 - \$378	\$15 - \$416
Fitness	\$23 - \$46	\$25 - \$51
Martial Arts	\$45 - \$70	\$50 - \$77
Cultural Arts	\$7 - \$93	\$8 - \$102
Outdoors	\$23 - \$243	\$25 - \$267
Late Night Out	\$4	\$5
School Break Camp	\$64	\$70
Summer Day Camp	\$109/Week	\$120
Senior Services	-0- Donations are Encouraged	

^{*}An inflation adjustment shall be made each January 1 and shall be equal to the change in the Consumer Price index for urban Wage Earners and Clerical Workers (CPI-W) for the Seattle-Tacoma-Bremerton area from January 1, 1996, to the date of the adjustment, rounded to the nearest dollar. The inflation-adjusted increases shall continue year-to-year.

The City Manager, in his or her discretion, can elect to reduce the amount of any fee stated, or any adjustment for inflation, in any given year.

RESOLUTION NO. 249

A RESOLUTION OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AMENDING PLANNING AND DEVELOPMENT FEES

WHEREAS, by ordinance, the City has authorized fees and charges for services provided by the City; and

WHEREAS, the City desires to recover the cost of services where fees may be appropriate;

WHEREAS, the City recognizes the need to amend the existing Planning and Development Fees to more accurately reflect the cost of processing these permits; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AS FOLLOWS:

Section 1. <u>Planning and Development Fees Amended</u>. Planning and Development Fees are hereby amended to correct an oversight as set forth in Exhibit 'A' attached to this resolution and incorporated herein.

Section 2. <u>Effective Date</u>. This Resolution shall take effect immediately upon adoption, with fees to be effective December 31, 1999.

ADOPTED BY THE CITY COUNCIL ON DECEMBER 13, 1999.

Debbie Klosowski, Mayor

ATTEST:

Susan Matthew, City Clerk

EXHIBIT 'A' RESOLUTION NO. 249

Plats & Boundaries

Base Fees (+\$40/hour over 10 hours + Examiners Costs > Preliminary Plats	\$3000 + Consultant Costs, if any)
10 acres	\$3,600
10 to 50 acres	3,600
50 acres	3,600
	,-,
Plat Amendments	
Minor	\$500
Major	2,600
initial control of the control of th	2,000
Final Plats	\$1,000 Plus
, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	\$30/lot
	400
Plat Alterations	
Without Hearing	\$300
With Hearing	\$2,600
	+- ,
QUASI JUDICIAL PERMITS	
Base Fees (+\$40/hour over 10 hours + Examiner Costs > 5	\$3,000 + Consultant Costs, if any)
Planned Development Districts	
10 acres	\$3,600
10 to 50 acres	3,600
50 acres	3,600
Conditional Use Permits	
10 acres	\$3,600
10 to 50 acres	3,600
50 acres	3,600
Nonconforming Use Permits	
10 acres	\$3,600
10 to 50 acres	3,600
50 acres	3,600
Public Facility Permits	\$3,600
Amendments	
Major	\$3,600
Minor	500