

ORDINANCE NO. 16-1898

AN ORDINANCE OF THE CITY OF MILTON, WASHINGTON, AMENDING CHAPTER 13.42 OF THE MILTON MUNICIPAL CODE AS IT RELATES TO SCHOOL IMPACT FEES; ENTERING LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City currently requires payment of School Impact Fees pursuant to Chapter 13.42 of the Milton Municipal Code; and

WHEREAS, the City and the Fife School District have an interlocal agreement for the administration of the School Impact Fee system and accounts; and

WHEREAS, the School District adopted their Capital Facilities Plan ~~2014-2040~~ **2016-2022** on June ~~25, 2014~~ **27th, 2016**, which identified recommended School Impact Fees other than those currently identified in the Milton Municipal Code; and NOW THEREFORE,

THE CITY COUNCIL OF THE CITY OF MILTON, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings. The recitals set forth above are hereby adopted as the Milton City Council's findings in support this ordinance.

Section 2. Subsection A of Section 13.42.040 is hereby amended as follows:

13.42.040 School District Capital Facilities Plan.

A. For purposes of this chapter, the Fife School District 417 "Capital Facilities Plan ~~2014-2020~~ **2016-2022**" adopted June ~~25, 2014~~ **27th, 2016**, is adopted by reference as though set forth herein in full.

Section 3. Subsection A of Section 13.42.060 is hereby amended as follows:

13.42.060 Determination and collection of Impact Fees.

A. The department shall determine and collect Impact Fees as follows:

1. School Impact Fees shall be paid directly from the developer to the School District. Upon receipt of Impact Fees, the School District shall issue the developer a receipt identifying the amount of Impact Fees paid and the development project for which the fees are paid. **Unless a deferral is granted pursuant to MMC 13.42.100** The City of Milton shall not issue any building permit until it receives a receipt from the School District establishing that any required School Impact Fees have been paid to the district. It shall be the responsibility of the developer to ensure that the City receives a copy of the receipt.

2. The current Impact Fee amounts for Fife School District No. 417 are:

Single-Family Resident:	\$2,640 \$3,216
Multifamily/Duplex Residential Unit:	\$5,664 \$1,755

family residence will occur. A lien not paid when due shall bear interest at the statutory rate. A lien shall become due at the expiration of the deferral date.

- D. If impact fees are not paid in accordance with ESB 5923(2015), the city may institute foreclosure proceedings in accordance with RCW Chapter 61.12.
- E. After full payment of impact fees, and upon written request of the person paying said fees containing the name and address of the requester together with a copy of a proposed lien release form, the City, upon approval by the City Attorney, shall sign a lien release and deliver it to the person paying said fee either in person or by first class mail.

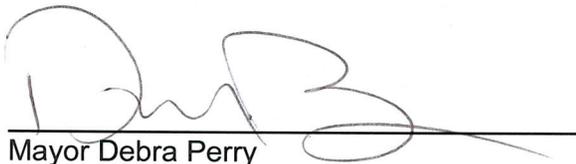
Section 5. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 6. Publication. This ordinance shall be published by an approved summary consisting of the title.

Section 7. Effective Date. This ordinance shall become effective and be in full force five (5) days after passage, approval, and publication as provided by law.

PASSED by the Council and approved by the Mayor of the City of Milton, this 8th day of August, 2016.

CITY OF MILTON



Mayor Debra Perry

ATTEST/AUTHENTICATED:



Katie Bolam, City Clerk

APPROVED AS TO FORM:

Greg Rubstello, City Attorney

Published:

Effective Date: