



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

July 23, 2002

Ordinance 14426

Proposed No. 2002-0320.1

Sponsors Hague and Irons

1 AN ORDINANCE relating to requests for interpretation of
2 the King County Code; and amending Ordinance 14033,
3 Section 9, and K.C.C. 2.100.900
4
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6 **STATEMENT OF FACTS:**

7 1. Ordinance 14033 was adopted in compliance with the findings and
8 orders contained in a September 11, 2000, King County superior court
9 decision. In the decision, the court determined that the county failed to
10 adopt procedures for rendering administrative interpretations of code as
11 required by RCW 36.70B.030(3) and 36.70B.110(11). The county was
12 ordered to adopt, by ordinance, procedures for administrative
13 interpretations no later than one hundred fifty days from the date of the
14 decision.

15 2. In its adoption of Ordinance 14033, the council included a provision,
16 contained in Ordinance 14033, Section 9, and codified as K.C.C.

17 2.100.900, that called for the transmittal within twelve months of the

18 effective date of the ordinance, a report to the chair of the growth
19 management and unincorporated areas committee evaluating the
20 effectiveness of the ordinance and recommending any necessary revisions
21 to better carry out the intent of the ordinance.

22 3. Although the department of development and environmental services
23 had several inquiries about the code interpretation process during the first
24 year (February 2001-2002) it has been in effect, no formal request for a
25 code interpretation was submitted to any county departments in that
26 period. No evaluation of the effectiveness of the process was possible.

27 4. In April and May, two requests were received by the department of
28 development and environmental services. Neither interpretation decision
29 has been issued to date. Based on the limited number of requests
30 submitted to date and the fact that no formal interpretation has been issued
31 on those limited requests, the executive has no recommended changes to
32 the ordinance or process at this time.

33 5. The need for the subsequent evaluation anticipated at the time of
34 ordinance adoption, is not diminished by the lack of requests for
35 interpretations. Therefore, the deadline for a report should be extended to
36 allow the submittal of additional requests upon which to base an
37 evaluation.

38 6. Of greater significance is the fact that, in the same section, the council
39 stipulated that the ordinance would be in effect for five hundred forty-

40 eight days after the effective date of the ordinance, which is August 24,
41 2002.

42 7. Since Ordinance 14033 was adopted in response to a court order, there
43 is a risk that the county may be found out of compliance with the order if
44 the code interpretation procedure is allowed to expire.

45 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

46 SECTION 1. Ordinance 14033, Section 9, and K.C.C. 2.100.900 are each hereby
47 amended to read as follows:

48 **((Effective period and e))Evaluation.** ~~((Ordinance 14033 shall be in effect for a~~
49 ~~period of five hundred forty eight days after February 22, 2001. Within twelve months of~~
50 ~~February 22, 2001, t))~~The executive shall transmit a report to the chair of the growth
51 management and unincorporated areas committee by June 1, 2003, evaluating the

52 effectiveness of ~~((the-))~~ Ordinance 14033 and recommending any necessary revisions to
53 better carry out the intent of ~~((the-))~~ Ordinance 14033.

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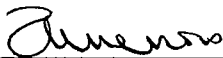
Ordinance 14426 was introduced on 7/15/2002 and passed by the Metropolitan King
County Council on 7/22/2002, by the following vote:

Yes: 13 - Ms. Sullivan, Ms. Edmonds, Mr. von Reichbauer, Ms. Lambert, Mr.
Phillips, Mr. Pelz, Mr. McKenna, Mr. Constantine, Mr. Pullen, Mr. Gossett,
Ms. Hague, Mr. Irons and Ms. Patterson
No: 0
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Cynthia Sullivan, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 1 day of August, 2002


Ron Sims, County Executive

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KING COUNTY COUNCIL

Attachments None